

**NOMINATION OF LISA S. DISBROW
TO BE ASSISTANT SECRETARY
OF THE AIR FORCE**

The PRESIDING OFFICER. Under the previous order, the clerk will report the Disbrow nomination.

The assistant bill clerk read the nomination of Lisa S. Disbrow, of Virginia, to be an Assistant Secretary of the Air Force.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Would it be appropriate at this time to yield back the 2 minutes of time? I ask unanimous consent to do that.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Lisa S. Disbrow, of Virginia, to be an Assistant Secretary of the Air Force?

The nomination was confirmed.

**NOMINATION OF VICTOR M.
MENDEZ TO BE DEPUTY SEC-
RETARY OF TRANSPORTATION**

The PRESIDING OFFICER. The clerk will report the Mendez nomination.

The assistant bill clerk read the nomination of Victor M. Mendez, of Arizona, to be Deputy Secretary of Transportation.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Victor M. Mendez to be Deputy Secretary of Transportation?

The nomination was confirmed.

**NOMINATION OF PETER M.
ROGOFF TO BE UNDER SEC-
RETARY OF TRANSPORTATION
FOR POLICY**

The PRESIDING OFFICER. The clerk will report the Rogoff nomination.

The assistant bill clerk read the nomination of Peter M. Rogoff, of Virginia, to be Under Secretary of Transportation for Policy.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Peter M. Rogoff, of Virginia, to be Under Secretary of Transportation for Policy?

The nomination was confirmed.

**NOMINATION OF BRUCE ANDREWS
TO BE DEPUTY SECRETARY OF
COMMERCE**

The PRESIDING OFFICER. The clerk will report the Andrews nomination.

The assistant bill clerk read the nomination of Bruce Andrews, of New York, to be Deputy Secretary of Commerce.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Bruce Andrews to be Deputy Secretary of Commerce?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action with respect to each of these nominations.

**NOMINATION OF PAMELA HARRIS
TO BE UNITED STATES CIRCUIT
JUDGE FOR THE FOURTH CIR-
CUIT—Continued**

The PRESIDING OFFICER. The Senator from Wisconsin.

WILDFIRE MANAGEMENT

Ms. BALDWIN. Madam President, we have an opportunity to address an issue of concern to foresting communities in Wisconsin and across the Nation in the emergency supplemental appropriations bill now pending before Congress.

The supplemental addresses a number of very urgent issues. The issue of unaccompanied minors who are crossing our southern border has rightly received much attention and there is, indeed, a crisis. I believe Congress must pass a supplemental appropriations bill to help address this humanitarian crisis.

This afternoon I wish to call attention to another emergency that Congress must address: extreme wildfires and the dysfunctional way the Federal Government manages our firefighting operations.

Devastating wildfires are raging in Washington and Oregon States, and many other States have felt the heart-breaking impact of major forest fire destruction. As I presided earlier today, I heard the two Senators from Washington State come to the floor and talk about the devastation the wildfires in their State are causing and the bravery of citizens who are facing these destructive fires. It is why I am pleased Appropriations Committee Chairwoman MIKULSKI has drafted an emergency supplemental appropriations bill that includes \$615 million for wildfire suppression. I thank her for her tremendous leadership in putting together a strong bill, and I urge Congress to take up and pass this legislation without delay to provide much needed support to these suffering communities.

But it is not just Western States that feel the impact of wildfires. In fact, a State such as Wisconsin is hurt very significantly by a broken budget process called fire borrowing. It forces the U.S. Forest Service to take funding intended to manage our forests and instead use it for wildfire suppression. In fact, fire borrowing is a misnomer. The money is never paid back. This cripples the U.S. Forest Service and diverts critical funding from my home State and many others.

In Wisconsin, over 50,000 people are employed in the forest products industry, from jobs in forestry and logging to paper makers in the State's many

mills. The industry pays over \$3 billion in wages into the State's economy and ships products worth over \$17 billion each year.

Unfortunately, fire borrowing has led to long project delays that are impacting this vital industry and jeopardizing the jobs which it supports.

The practice of fire borrowing has increased in recent years, triggered when we have a bad fire season and the Forest Service runs out of funds available for firefighting. When the firefighting funding is gone, the agency transfers funds from other parts of its budget and borrows them to pay for the fire suppression. When these funds are diverted, agency work is simply put on hold.

No business owner would select a supplier who couldn't provide a clear delivery schedule or who would routinely delay delivery of products for undetermined amounts of time. Loggers and other local businesses that partner with the Forest Service have to deal with just such uncertainty because of fire borrowing. Government can work better than this.

Fortunately, the Senate emergency supplemental appropriations bill would solve this broken process by treating the largest fires as other natural disasters such as hurricanes or tornadoes, and it would stabilize the rest of the Forest Service budget so that other essential work, ranging from timber sales to the management of forest health, can be completed on schedule.

Furthermore, the proposal is fiscally responsible, because it would help reduce long-term costs by allowing for increased fire prevention activities and because it would not increase the amount that Congress can spend on natural disasters.

Ending fire borrowing has strong bipartisan support. In fact, over 120 Members of the House and Senate, and more than 200 groups ranging from the timber industry to conservation groups, to the National Rifle Association, support the Wildfire Disaster Funding Act—the bipartisan bill that contains the fire borrowing fix included in the supplemental. The consensus is we need to get this fix done this year.

While there is strong bipartisan support for ending fire borrowing, it is unclear if the House of Representatives is going to support this fix in the supplemental appropriations bill that is being considered now. In fact, my friend, the House Budget Committee chairman PAUL RYAN, has consistently stood in the way of bipartisan solutions offered in both the House and the Senate. He has ignored the fact that the current budget structure is flawed and has resulted in the Forest Service taking the forest management funding Wisconsin's forests rely upon and instead using it to fight wildfires.

As his Republican House colleague Representative MIKE SIMPSON recently pointed out:

Unfortunately, continuing the status quo, as Chairman Ryan advocates, prevents us

from reducing the cost and severity of future fires by forcing agencies to rob the money that Congress has appropriated for these priorities to pay for increasingly unpredictable and costly suppression needs.

I urge my friend and fellow Wisconsinite to join us and support ending fire borrowing.

I thank Chairwoman MIKULSKI and subcommittee Chairman REED for including this important provision in the supplemental bill. I wish to also thank Senators WYDEN and CRAPO for their tireless leadership in the fight to end fire borrowing.

The proposal included in the emergency appropriations supplemental is a fiscally responsible solution to a devastating problem with wide-ranging impacts. It will help us respond to wildfires and it will support businesses and thousands of jobs in the timber industry in Wisconsin as well as throughout the country.

I urge my colleagues in the Senate and in the House to come together to solve this problem once and for all.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

UNREST IN ISRAEL

Mr. HELLER. Madam President, last week the Washington Post ran an opinion piece titled "Moral clarity in Gaza." The thesis of the article states that Israel is not interested in cross-border violence; rather, the goal of the current military action is to establish peace. I believe the writer correctly suggests that Israel has been left with no choice but to act in order to defend herself from the terrorist organization Hamas.

The piece also made the important conclusion that Hamas wants to provoke a fight with Israel and that this group is willing to sacrifice their own people in order to win international support and ultimately undermine Israel's legitimacy and right to defend itself.

There is no question regarding Israel's legitimacy, and there is also no question regarding Israel's right to defend itself. The international community has affirmed this principle. Further, this body affirmed Israel's right to defend itself when the Senate recently passed Senator GRAHAM's resolution on this matter.

As a cosponsor, I believe this resolution speaks in clear terms: The Senate stands with Israel's right to defend itself, and it demands that Hamas immediately—immediately—stop attacking Israel.

While the Senate has made its position on this issue clear, Israel has been forced to take matters into its own hands. As we speak, Israeli defense forces are engaged in Operation Protective Edge, working to identify and destroy the infrastructure Hamas has used to execute attacks and move artillery underneath Gaza City.

Recent reports have stated that the IDF has destroyed more than 20 tunnels and identified many more as

ground troops moved from building to building. They are utilizing air, ground, and sea to strike designated targets and provide support as IDF works its way through Gaza City.

The fighting will likely continue and more casualties on both sides will increase until either a cease-fire can be negotiated or Israel believes the tunnel system has been successfully negated.

I believe Israel has been left with no choice but to defend herself. Israel has faced a barrage of rocket attacks from Gaza Strip, and according to Secretary of State Kerry Hamas has attempted to sedate and kidnap Israelis through the network of tunnels used to stage cross-border raids.

Prime Minister Netanyahu cannot tolerate rocket attacks and cannot tolerate kidnappings aimed at Israelis. Their right to defend themselves is without question. But through the process, innocent Palestinians are being killed. This tragic loss of innocent life must not go unnoticed, but we must acknowledge Hamas's role in risking the lives of their own through their own actions.

Hamas stores and launches rockets from heavily populated areas. They do this because they know it will draw return fire from Israel, and even if some Palestinians are killed, the coverage aired worldwide will be favorable to Hamas and therefore well worth the loss. Hamas is sacrificing its own to win a media war against Israel. In contrast, in the lead-up to military action, Israel dropped thousands of leaflets explaining to Palestinians where they can go to be safe.

There is no clearer picture of right versus wrong than Israel fighting to protect its citizens against a terrorist operation operating underground and using Palestinians they live with as human shields.

Hamas is a terrorist organization willing to let women and children die if there is a possibility it advances international sympathy for them and underscores Israel in any way.

The footage of innocent Palestinians dying in Gaza is tragic, but the blame is not at the foot of Israel; it is on Hamas.

Over the next weeks and months, the military action in Gaza may escalate. If a cease-fire is not negotiated, the United States cannot turn its back on Israel. We must continue to stand with them and allow them to eradicate this terrorist threat and shut down these underground tunnels. It is their right as a nation, and the United States must stand with them.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I wish to compliment the distinguished Senator from Nevada for his very cogent remarks. They are true, and I appreciate his leadership on this matter.

BRING JOBS HOME ACT

Madam President, the Senate is currently debating the so-called Bring

Jobs Home Act—a bill supposedly aimed at preserving and creating jobs in the United States. However, as I noted here on the floor yesterday, the Bring Jobs Home Act is little more than political posturing and election-year messaging. It really does get old. We have gone through that over and over while we do not do what we ought to do for this country.

The Senate Democrats want to portray the Republicans as the party of outsourcing, which is a joke. So they have crafted a bill that will do nothing to actually address the problem of outsourcing but will provide them with a few days' worth of talking points on the subject. We went through precisely this same exercise in 2012. We voted on the exact same bill during the last election cycle. It was meaningless then, and it is meaningless now.

As I said, I went over this yesterday. I talked at some length about the shortcomings of this bill, and I do not want to rehash all of that again today. Instead, I would like to take a few minutes to talk about some things we could be doing to create and protect American jobs. I have filed some amendments to this bill that I think would actually do something along those lines. If we get a chance to offer amendments to this bill—which is, of course, doubtful under the way the Senate is currently being run—I think these are the types of amendments we should consider.

One of my amendments is a four-part tax amendment that would help businesses create jobs in the United States. If enacted, it would provide additional cash flow for businesses that would allow them to hire workers, increase wages, and invest in plant and equipment in the United States, among other things. It would do so by making four separate temporary tax provisions permanent.

The first of these provisions relates to section 179, small business expensing. My amendment would permanently increase the amount of equipment, certain real property, and software a business can deduct in a year to \$500,000 and index that amount to inflation. That makes sense.

The second provision would make bonus depreciation permanent, allowing businesses to permanently deduct 50 percent of the cost of qualified property in the first year that property is placed in service.

My amendment would also make the research and development tax credit permanent, increasing the alternative simplified credit to 20 percent and eliminating the traditional research and development credit test.

Finally, the amendment would permanently provide for a full exclusion of capital gains income derived from the sale of stock of certain small subchapter C corporations held on a long-term basis.

All of these would be tremendous amendments and would really create jobs. They ought to be allowed on this

bill. Together, these four provisions would provide much needed certainty for job-creating businesses and allow companies to more effectively plan for the future.

If we are going to amend the Tax Code in the name of creating jobs, this is a far better approach, as it removes uncertainty and simplifies elements of the code. The Bring Jobs Home Act would actually do the opposite.

I have also filed two health-related amendments to this bill.

The first of these amendments would repeal the medical device tax that was included as part of the so-called Affordable Care Act. ObamaCare's \$24 billion tax on lifesaving and life-improving medical devices is reducing U.S. employment.

A recent study by industry group AdvaMed estimated that the tax has cost as many as 165,000 jobs. That is 165,000 American jobs eliminated by this misguided tax. Ten percent of respondents to that survey have relocated manufacturing outside of the country or expanded manufacturing abroad rather than in the United States.

This would help solve the inversion problem, but our colleagues on the other side will not do anything about it. Yet they are trying to blame the Republicans for the inversion? Give me a break.

The tax is also curbing American innovation. Thirty percent of AdvaMed survey respondents have reduced their investments in research and development—30 percent.

If we really want to keep companies from moving American jobs offshore, this is a far better approach. It is far more substantial, and, as the survey data shows, it will have an immediate, real-world impact on jobs in the United States.

It is bipartisan. Republicans and Democrats support repeal of the medical device tax. Last year 79 Senators on this floor—including 34 Democrats—voted to repeal the tax. It really is a no-brainer. I hope we can finally get a vote on it. But sooner or later, we are going to get a vote on it, and it is going to be on a bill that will pass both Houses.

My other health care amendment would repeal ObamaCare's job-killing employer mandate. As we all know, the so-called Affordable Care Act requires employers with 50 or more employees to provide health coverage to their workers or pay a \$2,000 tax per employee. This deters business growth as it discourages small businesses from hiring more than 50 employees and has led many employers to cut workers' hours to keep from going over the mandate's threshold. How stupid can we be? Even the administration has acknowledged that the employer mandate is harmful. They have already delayed it several times in hopes of delaying its harmful impact during an election year. Isn't that nice?

If we really want to keep people in their jobs and encourage businesses to

hire more American workers, repealing the employer mandate would go a long way.

My last amendment would advance U.S. trade policy by renewing trade promotion authority. Specifically, the amendment contains the text of the Bipartisan Congressional Trade Priorities Act of 2014, a bill I introduced in January along with Chairman CAMP of the House Ways and Means Committee and former chairman of the Finance Committee, Senator Max Baucus of Montana.

This bill establishes 21st-century congressional negotiating objectives and rules for the administration to follow when engaged in trade talks, including strict requirements for congressional consultations and access to information. If the administration follows these rules, the bill provides special procedures to more quickly move a negotiated deal through Congress.

Renewing TPA, which expired in 2007, is necessary to successfully conclude ongoing trade negotiations, such as the Trans-Pacific Partnership, the TPP, negotiations as well as free-trade agreement talks with the European Union, often referred as T-TIP, involving 28 nations, including ours. These are two landmark trade deals with the potential to greatly boost U.S. exports and create jobs here.

The TPP countries—which represent many of the fastest growing economies in the world—accounted for 40 percent of total U.S. goods exports in 2012. Think of the jobs that would be created.

Another, the EU, the European Union, purchased close to \$460 billion—with a "b"—in U.S. goods and services that same year, supporting 2.4 million American jobs.

In addition, the United States is negotiating the Trade in Services Agreement, or TISA, with 50 countries, covering about 50 percent of global GDP and over 70 percent of global services trade. This agreement would create many opportunities for U.S. jobs in this critical sector.

It is vital that we get these trade agreements over the finish line, and the only way we are going to be able to do that is to renew trade promotion authority. My amendment provides a reasonable, bipartisan path forward on renewing TPA and would do far more to create jobs and grow our economy than the legislation before us today, which is minuscule in effort. As with other amendments, I hope we can vote on this TPA amendment.

Of course, I am not the only Senator who has offered reasonable job-creating amendments to the Bring Jobs Home Act. Numerous amendments have already been offered, and I am sure more are on the way—or should I say filed because we have been prohibited from really offering amendments on these bills and really having a robust debate for a long time now because of the actions of the current leadership of the Senate. The Senate is hardly operating

as the Senate always has in the past; that is, in an effective, let's-be-positive way.

Sadly, if the recent past is any indication, there will not be any votes on amendments to this bill. The Bring Jobs Home Act is not designed to create jobs. It is not even designed to pass the Senate. Once again, the entire purpose of this bill is to give Democrats some political talking points as the August recess approaches. Having an open and fair debate on amendments would distract from this partisan goal. We understand that everything is partisan around here. Everything is political right now. But my gosh, when are we going to start acting as the Senate?

That being the case, it is doubtful that any amendments are going to be considered on this legislation, which is, of course, a crying shame. The stated purpose of this bill is to create and protect American jobs. The Republicans have amendments that would do just that and more. I mentioned a few such amendments that would have a far greater impact on American workers and businesses than the bill before us today—most of which are bipartisan amendments.

That is what is amazing to me. This is just a game that is being played. It is really an irritating game to me. If we are serious about the idea of creating jobs in the United States, let's have a real debate about it. Let's discuss some alternative approaches. I know my friends on the other side will have great ideas on some of these, if they would be allowed to act like legislators for a change.

Let's talk about the real problems that are hampering job growth. Let's set votes on some of the ideas we have proposed. I hope we can do that this time around. But of course I am not under any illusions that the Democratic leadership here in the Senate is about to change course and let this body function the way it is supposed to. They are not about to let the Senate be the Senate. They are not about to let both sides have a full-fledged opportunity to improve these bills. They are not about to allow full and fair debate on both sides.

To me, it is mind-boggling in the case of this bill. I hope I am wrong. I hope we can get amendments up that would make this bill a real bill about jobs, instead of just politics. But, sadly, I do not think I am wrong. My experience has been that politics is triumphant around here and getting the people's work done is secondary.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHILD REFUGEE CRISIS

Mr. DURBIN. Madam President, the child refugee crisis on America's border is a human tragedy.

Two weeks ago in Chicago I met 70 of these children. It was a meeting I won't forget. These are children, some are infants. How they ever made it to the United States is nothing short of a miracle, and many who tried didn't.

Those who made it—some of them—come scarred from the journey—young women who were assaulted, children who were beaten. Some lost their lives on the way, but these were the survivors. They made it. They were in a transitional shelter in Chicago that has been there for 19 years, and 70 of them were getting physical exams and meals. As one person there said, for the first time in their lives, many of them, were free to be children.

These children are in the United States and they are testing us. It is a test for the United States as to whether we care. I believe we are a caring nation. We proved it over and over. How many times in far-flung places in the world have we rallied—politically to stand behind 300 girls who were kidnapped in Nigeria, to be there during the Haitian earthquake to make sure the families and children would at least have shelter, medicine, and food. The list goes on and on for this caring nation.

But this is different. This is not about a problem over there. This is about a challenge here. What President Obama has said to us is we must rise to this challenge. As we have in so many places in this world, we must rise to the challenges at home. When it comes to these children, we can be humane and caring and do the right thing.

He sent us a bill to pay for the services they need. It is expensive. Some people argue it is too expensive. Well, we can argue about the exact amount of money, but I hope we aren't arguing about the value and the principle that is being tested. I hope we are not arguing about whether the United States is a caring and compassionate nation.

I just left a meeting with the Presidents from the three Central American countries which are responsible for 80 percent of these refugees: El Salvador, Honduras, and Guatemala. Yesterday we met with their Ambassadors.

It is easy to understand what is happening. It is easy to understand when the economies are so poor in this area that families cannot feed their children. It is easy to understand when the drug gangs are so powerful that these children are being threatened, exploited, raped, and killed. It is only then that in desperation some member of the family says: There is only one chance. We send you to the United States—putting these children in the hands of coyotes and smugglers who take them on a journey that doesn't last hours but days and is 2,000 miles. Imagine. Imagine a mother taking her child to the freight train—this 12-year-old boy—watching him climb up the

ladder on the side and hang on. She says: You will be there in 4 days.

Can you imagine that. Can you imagine the family in Honduras, who before they send their young girl on this journey with the coyote, giving her birth control pills in anticipation that she will likely be sexually assaulted during the course of that journey? How desperate must that family be? That is the reality of this human child refugee crisis that we face.

The President has said we need to do several things. First, we need to tell these countries: Don't send these children. It is too dangerous, and when they have arrived, they have no special legal rights to be citizens or to stay. We need to get that message through loudly and clearly: Do not send your children. The countries involved—Honduras, El Salvador, and Guatemala—are joining us now in getting that message out.

Secondly, we need to start apprehending and prosecuting these coyotes, these smugglers. They extort from these families 1 year of wages to try to bring children into this country.

Some of these children are teenagers—most of them are—but many of them are babies and infants.

Five women walked into the dining room at the shelter carrying newborn babies. All of these women are from Honduras and all are victims of rape. They had gone on these buses for 8 days to bring these newborn infants to a safer place so that they might survive.

I am heartened by the fact that religious groups all around the United States have rallied behind these children. I am proud the Catholic Church—which I associate with; occasionally they associate with me—I am proud the Catholic Church and the bishops have spoken. Evangelicals are one of the first groups to come forward and say: We have to do something for these children.

Even some of the most conservative political commentators have said: First, America, show your heart that you care for these children.

That is what the President is asking us to do.

So let us take care, when we consider the supplemental appropriations bill, that we don't lose sight of our values. To those who politically disagree and sometimes even despise the President, I urge them not to try to show how tough they are with this President at the expense of these small children. Let's show how big we are as a nation first. The political debate can be saved for another day.

I support this legislation. I think it is the right thing to do.

I want history to write this chapter about America, and I want it to be a chapter of which we are proud. I want a future generation to look back to this year and say that in this year, when the United States was presented with this border crisis with children, America showed its heart; America stood and did what was right for these

children, as we have so many times in the past.

IRON DOME

There are other parts of this bill. One of them is a section I have worked on in my capacity as chairman of the Defense Appropriations Subcommittee. This is called Iron Dome, and it is much different than a debate about children or refugees.

Over the past 3 weeks, more than 2,000 rockets have been fired from Gaza into Israel. According to press reports, civilian casualties have been limited—maybe even only 2 out of 2,000 rockets. There are two reasons for the low number of injuries from this barrage.

First, many of these rockets land in uninhabited areas. Second, these rockets are headed for cities and towns, but these rockets are stopped and destroyed before they strike their targets. The reason? The Iron Dome missile defense system, a joint effort by the United States and Israel to protect against just an attack. The United States and Israel have deep ties on this program. Of the 10 Iron Dome batteries that have been fielded, the United States provided funding for 8 of them. I am pleased we have because this system has saved innocent lives.

Our country has been asked for additional assistance to ensure that the Israeli stockpile of Iron Dome interceptors is adequate to the challenge. We don't know when this crisis will end. Secretary of Defense Chuck Hagel endorsed an additional \$225 million in funding for Iron Dome in a recent letter.

The requested funds are in addition to next year's appropriations. It may be some time before the appropriations bills are enacted, and that is why the President has asked to include in this supplemental appropriation \$225 million to speed up the production of Iron Dome missiles.

The Senate simply has too little time. There is next week, and then we are gone for 5 or 6 weeks, return for perhaps 2, and then we are gone until November. So we have to act and act now.

This supplemental appropriations bill with the Iron Dome money needs to pass. I am going to be supporting it. This is an emergency which is front and center.

The Ambassador from Israel to the United States came to see me last week. He said at one time two-thirds of the population of Israel was in bomb shelters during these attacks. It is a serious threat to them.

Let me add too that all of us are praying this violence and war between Gaza and Israel will come to an end soon, that they will institute a ceasefire, sit at a table and resolve their differences.

But we cannot expect any country—not Israel, not the United States—any country—to sit and take 2,000 incoming rockets and not respond. This saves lives—the Iron Dome.

But now we need to take the next step, bringing peace to this region so

that innocent people on both sides of the border are going to be spared.

Hamas, a group which we have characterized as a terrorist since the late 1990s, is leading this attack on Israel. This terrorist group is politically popular in some parts of Gaza. How do they protect their rocket launchers? They place them in homes, they put them in crowded areas, and they build tunnels under Gaza streets for their weapons and to escape when they are attacked.

The latest report is they were building these tunnels under hospitals, knowing that Israel and other countries would spare these hospitals. Meanwhile, the hospitals are covering tunnels, which is just the source of much more violence in the area.

CHILD REFUGEE CRISIS

I wish to close on the issue about the child refugees. I see Senator PORTMAN of Ohio is on the floor. I will close and yield in a moment for him.

One of the questions I asked of the Ambassadors from Honduras, El Salvador, and Guatemala was this: We believe the children who come into the United States once given a chance to state why they are here—we believe that half of them or maybe more will be returned to their countries.

I asked the Ambassadors from these countries: Can we have confidence that if these children, who have come to our border, are returned back to their countries, they will be safe. A simple question. Will they be safe. Do you have people, charities, agencies of government to guarantee that when they return, when they get off the plane or the bus, they will be safe?

The Ambassador from Guatemala said: Yes, we do. The Ambassador from Honduras said: No, we don't. The Ambassador from El Salvador said: Neither do we.

Let us think about this for a moment. Let us reflect on this for a moment. Let us make sure we do everything in our power to hand these children over to a safe situation.

Let us work with these countries to stop the flow into this country, but to make certain that when they return, they are returned to a safe setting.

Can you believe that in Chicago a brother and a sister—a 6 year-old and a 3-year-old brother and sister—came to one of these shelters? I could see from the bruises on their bodies they had been through something on their way here. It took 2 months before these children—the 6-year-old—finally talked about what she can remember from this horrendous journey. I won't recount the details, but it is heart-breaking to think that a child of 6 years would have endured this experience.

Let's do right by these children. Let's make sure at the end of the day America has proven again we are a caring nation and that for those children who come to our shores, come to our borders, we will treat them humanely and compassionately, as we would want

our own children to be treated if they were ever in such a desperate circumstance.

Let's set the politics aside. Let's put these children front and center.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

BRING JOBS HOME ACT

Mr. PORTMAN. Madam President, earlier today the Senate voted to proceed to debate on legislation called the Bring Jobs Home Act. It is about tax reform. It is about the tax system in this country.

I am glad we are having the debate. I voted to proceed to the debate. I think it is important we talk about it.

I had a reporter come to me earlier today who said: I hear that Democrats are going to talk about inversions. That means when a company of the United States goes overseas and buys a company—usually smaller than they are—and then inverts, they become a foreign corporation.

They said: Are you concerned about that?

I said: No. I think that is great. I think we need to talk about it. I think it is a hidden problem that no one is talking about, and I think it is terrific that we are talking about it.

So I hope what will happen over the next week on the floor of the Senate is we will have an honest conversation about what is happening in our great country, where we have more and more American companies saying, because of the Tax Code they are saddled with, they cannot compete around the globe.

So what do they do? Having a responsibility to their shareholders, they go and find either a foreign company to become part of and become foreign—or they make themselves a foreign company by being acquired by a foreign company. Some of them are simply not growing because they can't compete with other companies from other countries that are buying some of their assets.

A company recently came to me from Ohio, my home State, and said: We do work in Korea. We were in South Korea. We wanted to buy this subsidiary there so we could expand what we are doing in Korea and push more of our product there, more of our exports there. We finished the negotiation with the Korean company, and a company from Germany stepped up and said: Do you know what. Whatever you guys have negotiated, we will take it, but we will pay 18 percent more.

The reason the German company could pay 18 percent more is their after-tax profits were higher, because the German tax code treats the German company better than the American Tax Code treats the American company. That is the reality, and it is happening.

Over the last 5 years, they say there have been 35 American companies that have gone overseas through these inversions, but there are also a lot of American companies that have become foreign entities.

I am a beer drinker, and it is hard to find an American company that can sell you a beer these days. Why? Because they are almost all foreign companies. The two largest American beer companies each have about a 1.4-percent market share—Sam Adams and Yuengling. Great beers, by the way. But this is sad to me.

It doesn't mean these companies have all left the United States. A lot of them still have production here, breweries here, and so on. But by headquartering somewhere else for tax purposes we lose something as Americans. We lose executive jobs over time, but we lose this intangible thing—which is, companies that are willing to invest in our communities—in hometowns, like in my hometown, probably everything we are involved with on the charitable side, some local company has been involved with and helped with. A lot of them tend to be international companies that do a lot to help make our cities a better place to live and to work. But they do it partly because it is where their headquarters is. This is where their towns are. If they are not here—if they are in Dublin, Ireland, or if they are in London, England, or if they are in Beijing or in Rio, Brazil, or somewhere else, they are not going to be making those investments. So this is a big deal.

It is also a big deal because it is not just about the inversion. I see that as kind of the tip of the iceberg. It is also about all these companies that are losing right now in foreign competition because, again, they can't compete. They have to pay more in terms of taxes than their foreign competitors. So their foreign competitors can afford to broaden their market share, get more customers, can afford to buy a company when one comes up for acquisition.

I had a fellow come up recently from the Boston area. Boston does a lot of biopharmaceutical research, as the Presiding Officer knows. It is very exciting what is going on there, and throughout our country. We are still doing top-notch research. They showed me the list of companies that have been purchased in the last 4 or 5 years. Unfortunately, the majority of those companies were purchased by a foreign company. It wasn't by a U.S. company coming in and consolidating. It was by a company under different tax laws—a Swiss company, a French company, a German company, or a Japanese company—that had bought an American company, the majority of them—by far the majority. This is happening all over the country, and it is happening under our noses.

We are sitting here in Washington, allowing this to happen because we are abdicating our responsibility to reform the Tax Code so that it is competitive.

By the way, we are the only country that is not waking up to this. Every single one of the other developed countries in the world—the countries that are members of what is called the

OECD, which is all the developed countries—every single one of them is reforming their tax code, except us.

In the 1980s, we established the rate we have now, which is 35 now—then it was 34 percent. When we add the State tax rates for the companies, it is about 39 percent on average in America. We are the highest rate in the world.

So at the time we set our rate in the mid-thirties, that was just below the average. It was done deliberately, and it was done as part of the 1986 tax reform. We said: Let's set the business rate at something below the average so we can be competitive.

But since that time, we have become the highest rate, and every single one of our developed country competitors—all of them—have reformed their tax code and lowered their rate.

But they haven't just lowered their rate to make us No. 1 in the world—which is not a No. 1 you want to be if you want to compete and develop jobs—they have also reformed their tax code to make it more competitive internationally. We haven't done that. We have been bystanders in this effort to attract jobs and investment opportunities.

We still have what is called the worldwide system, where we don't tax income where it is earned. That has created a real problem.

So I am glad we are having this debate on the floor. I am glad there is an opportunity to talk about this. I must say that, unfortunately, the bill before us, the Bring Jobs Home Act, is not going to help because it doesn't get at this underlying problem we have been talking about today. It does nothing about lowering the rate. It does nothing about changing the international system of taxation. It tinkers around the edges with one issue, and that is to remove deductions and tax credits that, according to the authors of the bill, incentivizes companies to move overseas.

There is a group here in Washington called the Joint Committee on Taxation. They are nonpartisan, and they tell us in Congress what tax policy means, how much it costs, and what the effects are going to be. Here is what they say:

Under present law, there are no targeted tax credits or disallowances of deductions related to relocating business units inside or outside the United States.

So why are we having this debate? Why aren't we debating the core issue—the real problem? I guess because this is the better political debate and it is easier to do. But it is not going to help. It would be nice if there were these targeted tax credits that some of the authors claim, because then we could get rid of those and that might help some. But, as the Joint Committee on Taxation has said, that doesn't exist.

Let's take a look at the numbers.

According to the Joint Committee on Taxation, the very small tweaks this legislation will make to the Tax Code

by disallowing some of these deductions will amount to around \$143 million over 10 years. So they say \$143 million over 10 years, because even though there is no targeted allowance or targeted tax credits, they think this legislation will have some effect on the way the IRS will interpret it. By the way, it is left up to the IRS to interpret it, and it is a subjective decision by the IRS since it is not targeted.

But let's say that \$143 million over 10 years is the right number. That is what the Joint Committee says. So \$143 million over 10 years. Let me give one example.

There is a company in Ohio that is about a Fortune 200 or Fortune 300 company. So it is a big company—not the biggest company, but it is a big company in Ohio. They decided a year or so ago to do an inversion. They bought a company that was one-quarter their size overseas and they became a foreign company. Based on the public filings, we know this year that company will save \$160 million on its taxes because it chose to become a foreign company. That is wrong. Our tax system should be fair, it should be competitive. It shouldn't be driving these companies to do this on behalf of their shareholders and under their fiduciary responsibility.

That is \$160 million a year versus this bill that, even if it works as the folks are talking about, is intended to be a \$143 million impact over 10 years. See what I mean about this not being a serious proposal? Let's get at the core problem.

The other problem is, if we continue to make it harder to be a U.S. company—whether it is to take away a tax credit, whether it is to take away a deduction, whether it is to do something else, to try to block inversion, what will happen? What happens every time we try to put up a wall to stop something but don't deal with the underlying problem? These companies will continue to look overseas, and they will be targets for acquisition.

We talked about the fact that there are no American beer companies anymore, except ones that have less than 2 percent market share. These companies didn't invert. They were bought by foreign companies. That is happening right and left in America, and that is what would happen even more if we make it even more disadvantageous to be an American company because we are trying to block this.

We have to get at the core issue. We can't have the highest tax in the world, and we can't have an international system that is not competitive and hope to have these companies stay American companies. So let's deal with the underlying problem.

Thirty-five companies over the past 5 years have chosen to invert, but so many others have done other things to try to be competitive, including to sell to foreign companies, or not to grow, not to be able to compete with acquisitions, because their after-tax profits

are not as high as their foreign competitors.

It is not going to be easy to do tax reform. I understand that. It is never easy. That is not what we were hired to do, the easy things. We are on the floor right now debating this proposal called the Bring the Jobs Home Act, which I think is a misnomer, unfortunately. I guess that would be easy. It wouldn't help, but it would seem easy.

Tax reform is going to be hard, because we do have to lower the rate and broaden the base and get rid of some of these deductions and credits and exemptions and so on that are out there. The Tax Code is now riddled with them. Everybody likes their special provisions. But it is an effort well worth undertaking, because it is about our economy, it is about our future, it is about our kids having jobs here. It is about keeping American companies here. We simply have to do it.

By the way, Congress has done this before. We did it back in 1986. It was led by a Republican, Ronald Reagan, and a Democrat here in the Senate, Bill Bradley; and in the House, Dan Rostenkowski, Tip O'Neill. This was a bipartisan effort. It should be again. There is no reason it shouldn't be bipartisan.

The President has talked about it as a big problem right now in our economy, that our Tax Code is so inefficient, antiquated, needs to be updated. He has talked about lowering the rate, broadening the base. I agree with him, let's do it. Unfortunately, we haven't seen a proposal from the administration.

We had a hearing on this recently and I asked the administration: Where is the proposal?

They said: Well, we are interested in working with you.

Great. I am, too. All of us are.

Some Republicans, including DAVE CAMP, have put out very specific proposals in the House Ways and Means Committee.

We have to move forward on this. And we have done this before. We can do hard things. It is our job to do hard things. We did welfare reform a year before an election—actually, months before election day, with President Clinton, working with Republicans, including Newt Gingrich.

This seems to be the kind of thing that is harder and harder to do around here, and yet there is more and more urgency to do it.

People call it corporate tax reform or business tax reform and think: It must be about the boardroom and about the executives. It is not. They will be fine either way. We don't need to worry about them. We need to worry about the workers. CBO, the Congressional Budget Office, which is the group that analyzes legislation, has looked at this and said: Do you know who is hurt more by these high corporate taxes we have? It is the workers, of course. More than 70 percent of the burden, they said, is borne by the workers in the

form of lower pay, lower benefits, and fewer job opportunities.

So we need to do this not because we are looking to help the boardroom but because we are looking to help the American worker at a time when it is already tough.

Over the last 5 years, they say, average take-home pay has gone down about \$3,500 for a typical family. So pay is not going up, it has gone down. Health care costs have gone up. In fact, they are skyrocketing.

I talked to some folks in Ohio last weekend who asked: Why aren't you doing more to get health care costs down?

I said: Well, I didn't support the ObamaCare proposal. It was promised that the costs would go down, and they are now going up. That is why we need real health care reform.

This is a middle-class squeeze. Health care costs are up, and wages are down, now stagnant. This is an opportunity, not through a sideshow like we are going to see on the floor here talking about how to do these tweaks that aren't going to make any difference, but to really get at the problem is the way to get payback. That is what the Congressional Budget Office tells us.

Our Tax Code should draw companies to our shores, should bring investment here and bring jobs here instead of pushing companies away. All we are looking for is a level playing field. If Americans have a level playing field here, we will be able to be competitive, and we will be able to bring back jobs. We have the greatest innovators in the world, we have the greatest resources, and we have incredible infrastructure in this country. We have a lot of advantages. Our energy advantage now, thanks to what we are doing now on private lands—we should do more on public lands, but what we are doing on private lands is really giving us an advantage in terms of a stable supply of relatively low-cost natural gas, particularly for manufacturing. We see this in Ohio. It is a great opportunity, but to take advantage of that opportunity, we have to reform and improve these basic institutions of our economy, including the Tax Code.

By the way, it is not just the Tax Code, it is about regulatory relief to ensure that American companies are not being saddled, as they are now, with higher and higher costs and more and more regulations that make it harder for them to compete, make it harder for them to create jobs.

It is also about being assured that we have a trade policy that actually works to expand exports. That is a huge issue in my home State of Ohio. We do a lot of exporting. We could do a whole lot more. Twenty-five percent of our factory jobs are now export trade jobs. One in every three acres planted in Ohio is now exported. We want to do more. That gets the prices up for farmers. That is adding more jobs and creating more opportunity for good-paying jobs. These great jobs tend to pay

more and have better benefits. We are sitting on the sidelines there too.

Congress could move quickly to provide this President with the negotiating authority every President since Franklin Delano Roosevelt has had. Since FDR, every President has also asked for it. This President has now asked for it. You heard him in his State of the Union earlier this year. He hadn't asked for it earlier in his term, but now he has asked for it. Let's provide it to him. Let's give him the ability to knock down the barriers of trade for our workers, our service providers, and our farmers to get this economy moving, along with tax reform and regulatory reform. These are things that would actually make it better for the American people.

On the regulatory side, I am offering amendments in the context of this legislation, and they are bipartisan amendments. One has to do with ensuring that we do allow companies to permit something more quickly. Right now it can take years to permit a project in the United States of America. We have a bipartisan bill. Senator MCCASKILL and I are the two lead sponsors, but we have other Democrats and Republicans onboard saying this is just common sense. Let's make one agency accountable. Let's be sure there is a way for everybody to transparently look at a windshield and see what the status of the project is and move it forward. Let's reduce some of the legal liability in some of these projects.

What people tell me—whether it is the solar companies I talked to yesterday or whether it is some of the oil and gas producers or whether it is some of the wind companies or whether it is the hydro people who brought this to my attention initially a few years ago—they cannot get foreign investors because it takes so long to permit something in America.

We used to be at the top of the heap, by the way, and now in the annual ease-of-doing-business surveys that are done, America has fallen behind. America is now something like 34th in the world in terms of the ease of doing business on permitting because more and more regulations have been added. For an energy project, there are sometimes up to 34 Federal regulations. Usually it is one after the other because there is no coordination and accountability.

That is what this bill does. It is very simple. It is common sense. It already passed the House. It is the kind of bill that, if passed, would create jobs and good construction jobs, which is why the building trades support it.

By the way, the labor unions, building trades, and others who support this kind of legislation do so because they figured out that America cannot be competitive unless we have these basic institutions of our economy—whether it is regulatory reform or whether it is a smarter energy policy or whether it is the ability to have a tax code that works, they want to be sure we are ex-

panding opportunities for their members. So I appreciate the building trades stepping forward.

The other one is simply to make sure regulations are accountable, make sure there is a cost-benefit analysis, make sure we use the least burdensome alternative in Washington, DC, to get to a policy that is passed by the Congress—commonsense stuff. Again, that has passed the House, too, with bipartisan support.

I am offering these because I do think it is important for us to have this debate on tax reform, and I look forward to further debate on Monday and Tuesday of next week. I think this is a great opportunity for us to talk about the real problems.

I am not going to support this solution because I don't think it will help, but I welcome the debate, and I am glad we have proceeded to this debate. I am glad my colleagues on the other side of the aisle are raising this issue.

To the reporter who asked the question I got today—Are you concerned that Democrats are talking about inversions?—no, I am really happy they are talking about it. We should all be talking about it—Republicans, Democrats, Independents alike. As Americans, we should be focused on this issue and the broader issue that by our companies not being competitive, we are hurting American workers. If we don't turn this around—not by show votes, not by something that looks good politically but doesn't make any difference, but by actually getting at the root of the problem—the highest rate in the developed world, an international system that doesn't let us be competitive globally because people cannot move around their assets to find the best, most efficient use for them—those two issues, if addressed, will unlock all kinds of opportunities. That is the potential we have. There is a better day ahead, right around the corner, if we do some of these basic things.

I was also asked today at a press conference we do every week with Ohio reporters: How would you grade this Congress? Are they doing the things they ought to be doing?

I have to tell you there are small things that have been done, but, no, Congress is not doing the work of the people. And the work of the people at its core means that the laws, the Federal laws that this place alone—the House and the Senate and the President—have control over, those laws need to help the American people to be successful. It needs to be an environment for success, an environment for people to be able to say: Hey, my kids and grandkids could have it better than I have it because we see America on the upswing.

That is not what we see today—the weakest economic recovery since the Great Depression. I talked about wages going down, not up. I talked about the higher cost of health care. I talked about the fact that we have now in this

country a lot of people who are discouraged about the future.

CNN did a poll recently, and normally when people are asked in a poll whether they think their kids or grandkids are better off, they say: Yes. That is the American dream. The next generation will be better off.

That is what my grandparents believed, and that is what my parents believed. That is not what today's generation believes. Sixty-three percent of the people said: No, I don't believe that is going to happen.

What is even more troubling is that 63 percent of young people do not believe that. They don't believe their lives are better off than their parents'. We can change that.

I hope we get a vote on these amendments I talked about. I hope we will have a good discussion and debate on these issues. We owe it to the people we represent to solve these big problems.

I thank you for the time, Madam President, and I yield the floor.

MOMENT OF SILENCE

The PRESIDING OFFICER. Under the previous order, the Senate will now observe a moment of silence in remembering Officer Jacob J. Chestnut and Detective John N. Gibson of the United States Capitol Police.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I ask to be recognized as if in morning business.

The PRESIDING OFFICER. Without objection.

ISRAELI-GAZA CONFLICT

Mr. RUBIO. Thank you, Madam President.

I come to the floor today to discuss the ongoing situation in Israel. We all watch with great concern the images of the loss of life, young children, innocents who have lost their lives over the last few days, and also the men and women who served in the defense forces of Israel who have lost their lives in this operation. Our hearts also go out to the men and women who live in the nation of Israel who are living under the constant threat of rockets that are coming over from Gaza.

I came to the Senate floor a week ago to express not simply my concerns with this but also my solidarity—and I believe that of almost everyone in this body—with our ally Israel, and I received a response, a pretty heated letter from the Palestinian Ambassador in Washington, DC. He expressed outrage that I and my colleagues had not expressed the same level of concern for Palestinians as we had for the Israelis. He particularly pointed to the case of the three murdered Israelis but said we had not expressed similar feelings for the young Palestinian who lost his life.

I responded to his letter by pointing out a number of things. The first is that I believe that I and all my colleagues wish and pray and will do all we can to further the ideal that the Palestinian people could live peacefully side-by-side with their Israeli neighbors. It is a sentiment I expressed when I visited the Palestinian officials in the West Bank a year and a half ago.

But I also expressed that there was a significant difference between the way Israel and the Palestinians reacted to these two horrible incidents. The Palestinian Authority had to be basically nudged into expressing any sentiment about the three young people who were missing at the time. In fact, when the bodies were discovered, it led to street demonstrations. It led to celebrations on the streets of the West Bank and Gaza.

In Israel, the discovery of the death of the young Palestinian led to strong statements by the Prime Minister and condemnation. It led to a phone call from the Prime Minister to the family of the Palestinian. It led to visits by Israelis to the family of the Palestinian. It led to real outrage. There was a difference there, although both are horrible tragedies.

But I think there is something now emerging that is not being talked about. We have all seen the images of people being killed, civilians who are losing their lives in Gaza, and some are beginning to say that this is all Israel's fault, that this is Israel's fault. In fact, earlier today—or maybe it was last night—the Prime Minister of Turkey said that what the Israelis are doing in Gaza is worse than what Adolf Hitler did to the Jews. It is, of course, a ridiculous statement, but it gives an indication of where this is headed.

There is a story here that is not being told and that the Palestinian Ambassador himself has ignored, as I point to in my response to him. The first thing he ignores is that we have never in the modern history of the world seen any organization use human shields like Hamas is using human shields today. In fact, the reality behind it is unbelievable.

I would like to read from some press accounts with regards to this.

Washington Post correspondent William Booth, reporting from Gaza, wrote in an article on the 15th of July:

At the Shifa Hospital in Gaza City, crowds gathered to throw shoes and eggs at the Palestinian Authority's health minister, who represents the crumbling "unity government" in the West Bank city of Ramallah. The minister was turned away before he reached the hospital, which has become a de facto headquarters for Hamas leaders, who can be seen in the hallways and offices.

Another report by the Washington Post on July 17 recounts:

During the lull—

I imagine in the action—

a group of men at a mosque in northern Gaza said they had returned to clean up the green glass from windows shattered in the previous day's bombardment. But they could be seen moving small rockets into the mosque.

The Japanese Mainichi Daily's correspondent in Gaza reported on July 21:

Hamas criticizes that "Israel massacres civilians." On the other hand, it tries to use evacuating civilians and journalists by stopping them and turning them into "human shields," counteracting thoroughly with its guerilla tactics . . .

It doesn't end there. A Globe and Mail correspondent in Gaza, Patrick Martin, wrote on July 20:

The presence of militant fighters in the Shejaia became clear Sunday afternoon when, under the cover of a humanitarian truce intended to allow both sides to remove the dead and wounded, several armed Palestinians scurried from the scene.

Some bore their weapons openly, slung over their shoulder, but at least two, disguised as women, were seen walking off with weapons partly concealed under their robes. Another had his weapon wrapped in a baby blanket and held on his chest as if it were an infant.

If you think that is bad, it gets worse. I obviously cannot play a video on the floor of the Senate, so instead I will read a statement from Hamas spokesperson Sami Abu Zuhri. This is a quote on television in Gaza:

The people oppose the Israeli fighter planes with their bodies alone . . . I think this method has proven effective against the occupation. It also reflects the nature of our heroic and brave people, and we, the [Hamas] movement, call on our people to adopt this method in order to protect the Palestinian homes.

The response to this is, Israel drops fliers and sends text messages and makes phone calls telling people—civilians—we are going to undertake a military operation, you should leave the area. What does Hamas do? I will tell you what they do.

This is from the Facebook page of their Interior Ministry spokesperson:

An important and urgent message: The [Hamas] Ministry of the Interior and National Security calls on our honorable people in all parts of the [Gaza] Strip to ignore the warnings [to vacate areas near rocket launching sites before Israel bombs them] that are being disseminated by the Israeli occupation through manifestos and phone messages, as these are part of a psychological war meant to sow confusion on the [Palestinian] home front, in light of the [Israeli] enemy's security failure and its confusion and bewilderment.

This next statement was on television on July 14:

We call on our Palestinian people, particularly the residents of northwest Gaza, not to obey what is written in the pamphlets distributed by the Israeli occupation army. We call on them to remain in their homes and disregard the demands to leave, however serious the threat may be.

This is evidence that Hamas is using its own people as human shields.

It doesn't stop there, Mr. Ambassador. Ask yourself: Why did your organization—why did your government—unify with this terrorist organization that uses its own people as a human shield? You didn't mention that in your letter. You didn't mention in your letter that you aligned yourself with an organization that calls for the destruction of the Jewish state. You left that out of your letter as well, Mr. Ambassador.

What has been the international reaction to this? Well, I already told you about what came out of Turkey. Just yesterday the so-called United Nations Human Rights Council—and I say so-called because it has such distinguished human rights beacons as Cuba and China on its membership—voted unanimously, except for the United States, to condemn Israel and to call for an investigation into war crimes against Israel. There is a 700-page document that briefly mentions rockets and does not mention Hamas or human shields whatsoever. Meanwhile, this crisis continues.

What do we see coming out of Hamas? Have they stopped what they are doing beyond the human shields? No. What we discovered—and what has been discovered now—is an intricate web of underground tunnels designed to bring killers into the Israeli territory. They attempted, by the way, to carry out a massacre at a kibbutz near the border with Gaza. Luckily they were intercepted by Israeli defense forces. They discovered tranquilizers in their possession, the purpose of which, of course, was to use them to abduct and kidnap Israelis and take them back to Gaza for ransom or worse. The rockets continue to rain down as well.

You also didn't mention in your letter, Mr. Ambassador, the cease-fire, which, by the way, Israel agreed to even though it was extremely unpopular in Israel. Why? Because three times in the last 5 years they had to face this.

I want you to imagine for a moment that you lived in a country with a neighbor that blitzed you three times in the last 5 years with rockets, trying to kill your children and destroy your cities and disrupt and paralyze your economy. There comes a point where you say enough is enough, we have to put an end to this. So you can just imagine how unpopular that cease-fire must have been among some elements of the cabinet and the unity government in Israel, and certainly among the population. Yet the Prime Minister went ahead with it because they desire peace, and in just a few hours Hamas violated the cease-fire.

So please don't come to me and say that both sides are to blame here. That is not true. This crisis would end tomorrow if Hamas would turn over its rockets and stop bombarding people. This would end tomorrow, by the way, if the Hamas commanders were not

such cowards. I will tell you why they are cowards. While they are on TV asking these people to go to the rooftops of these buildings, you know where they are? They are hiding in their basement command center, which, by the way, is located in the basement underneath a hospital.

This would end tomorrow—the civilian deaths could end tomorrow—if they stopped storing rockets in schools, including a U.N. school. By the way, when the U.N. discovered these rockets, do you know what they did with them? They turned them back over to Hamas. Don't tell me both sides are to blame here because it is not true. It is not true. This is the result of one thing and one thing alone: Hamas has decided to launch rockets against Israel. Hamas has decided to build this extensive network of underground tunnels so that in a moment of conflict they can get these commandos into Israel and kill Israelis.

What is Israel doing? What any country would do. Of course this is not an excellent example, but imagine for a moment if one of our neighboring countries decided to start hitting us with rockets. What would the United States do? Would we sit there and say: We really have to be restrained and hold back here? We would not tolerate that. Imagine that every night and every morning sirens were going off in your city because rockets were on their way in and you spent the better part of the day running in and out of shelters and taking cover. What would you say? You would say: Take care of this problem once and for all.

Why would we ever ask Israel to do anything less than we would do if we were in the same situation? And that is what they are doing.

In the process of taking care of the situation, tragically, civilians are dying, and do you know why? Because Hamas is deliberately putting them in the way. I just read the quotes. Hamas is asking their people to do what their leaders won't do. They are asking their own people to get in harm's way and act as human shields because they want these images to be spread around the world. They are willing to sacrifice their own people to win a PR war.

I think it is absolutely outrageous that some in the press corps domestically and most of the press corps internationally are falling for this game. So please don't tell me that both sides are to blame here, and please don't tell me this was caused by Israel.

In my time here in the Senate, I had the opportunity to visit multiple countries. I have never met a people more desirous of peace than the people in Israel. But peace cannot mean your destruction, and that is what they are facing here—an enemy force that wants to destroy them and wipe them out as a country. It is impossible to reach any sort of peace agreement with an organization like that. That is what Israel is facing here.

Mr. Ambassador, I ask that you go back to your government and ask them

to separate completely from Hamas, condemn what Hamas is doing to your own people—condemn the use of human shields. That is what I ask you to do. Stop writing letters to Senators and being angry at us when, by the way—although we should not be doing it because the law says no money should be going toward any organization linked with Hamas—the United States has been helping you to stand up your security forces in the West Bank through our taxpayer money. Don't write letters to the U.S. Congress complaining to us about what Israel is doing when the people you just created a unity government with are launching rockets against civilians in Israel and using its own people as human shields.

I think you need to take responsibility for your own people and your own part of the world. If you truly want peace, peace begins with laying down your arms and stopping these attacks and condemning those who are conducting these attacks and using innocent civilians as human shields. If you want peace, that is what you should spend your time doing and not trying to rally public support around the world for the idea that Israel is responsible for war crimes.

From our perspective, I hope the United States continues to be firmly on the side of Israel because there is no moral equivalency here. What is happening between Israel and Hamas is totally 100 percent the fault of Hamas. There is no moral equivalency here. All of the blame lies on Hamas.

For this crisis to end, Hamas must either be eliminated as an organization or they must lay down their weapons and adhere to the true precepts of peace, which is the desire to live peacefully side by side with our neighbors in Israel.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Alabama.

BORDER SECURITY

Mr. SESSIONS. Mr. President, we are dealing with a very disturbing crisis on our borders. The situation that has developed is unbelievable. It is unbelievable how rapidly it has developed, but it has, indeed, been building up for more than a year. It is a direct and predictable result of the President's policies and not enforcing the laws of the United States when it comes to immigration. It is a very sad day, and it can only end when the President stops suspending laws and starts enforcing laws.

The President is the chief law enforcement officer in America. Every Border Patrol officer, every ICE officer, every Coast Guard officer, every military officer, every Department of Justice employee, and FBI employee works for him. He supervises them and directs them. He has been directing them not to enforce the law rather than to enforce the law. The evidence of that is undeniable.

The law enforcement officers—the ICE officers, Immigration and Customs Enforcement officers—sued their supervisor directly appointed by President

Obama for blocking them from fulfilling their oath to enforce the laws of the United States of America. There is a Federal court case that is still ongoing, and the judge found, at least at one point in his order, that the President has no right to direct officers not to comply with the law.

We now know that we are facing an exceedingly grave threat of an unbelievable expansion of his unilateral Executive orders of amnesty that go beyond anything we have ever seen in this country and which threatens the very constitutional framework of our Republic and the very ability of this Nation to even have borders, it seems to me, and certainly to create a lawful, equitable, consistent enforcement in our country.

The respected newspaper National Journal, which is here in Washington, a nonpartisan and respected organization, reported on July 3—and a lot of people have missed this, and we need to know what this is saying. We need to know what it means, and we need, as Members of Congress and this Senate, to resist it. We cannot allow it to happen. We will not allow it to happen. The American people, when they find out what is being discussed, will not allow it to happen, in my opinion. Congress needs to be directed by the people—I hate to say—to resist it. It says:

Obama made it clear he would press his executive powers to the limit. He gave quiet credence to recommendations from La Raza and other immigration groups that between 5 million to 6 million adult illegal immigrants could be spared deportation under a similar form of deferred adjudication he ordered for the so-called Dreamers in June 2012.

The DREAMers being the young people. Five to 6 million would be given legal status in the United States of America when they have entered contrary to law or are in the country contrary to law and are not entitled to work in America.

The article goes on to say:

Obama has now ordered the Homeland Security and Justice departments to find executive authorities that could enlarge that non-prosecutorial umbrella by a factor of 10. Senior officials also tell me Obama wants to see what he can do with Executive power to provide temporary legal status to undocumented adults.

What we know is with the children's group, they were provided with an ID card that at the top of it, in big print, says, "employee authorization card." This is exactly what is being talked about here, what the President of the United States is saying.

Remember, the Congress has been asked by activist groups and certain business interests to provide an amnesty for people who are here. The Congress has declined to do so. It has been fully and openly debated and has not passed into law. That is the decision of the Congress. That is the decision we have made—the duly elected body that passes laws. As such, they not having been given amnesty, the President of the United States is not entitled to do

so. By declaration of duly passed law, people aren't entitled to come to America unlawfully, to come to America and stay unlawfully. They are not entitled to do that. How simple is this? They are not entitled to be able to take jobs if they do. They are not entitled to certain government benefits if they come illegally. Of course they are not. Of course they are not able to work and take jobs and get benefits if they came into the country illegally.

So when this first got talked about in more general terms, 22 Members of the Senate wrote President Obama and questioned what we are hearing. The Senators wrote this:

These policies have operated as an effective repeal of duly enacted federal immigration law and exceed the bounds of the Executive Branch's prosecutorial discretion. It is not the province of the Executive to nullify the laws that the people of the United States, through their elected representatives, have chosen to enact. To the contrary, it is the duty of the Executive to take care that these laws are faithfully executed. Congress has not passed laws permitting people to illegally enter the country or to ignore their visa expiration dates, so long as they do not have a felony conviction or other severe offense on their record. Your actions demonstrate an astonishing disregard for the Constitution, the rule of law, and the rights of American citizens and legal residents.

Our entire constitutional system—

The letter goes on to say—

is threatened when the Executive Branch suspends the law at its whim and our nation's sovereignty is imperiled when the commander-in-chief refuses to defend the integrity of its borders.

You swore an oath—

The letter says to the President—

to preserve, protect and defend the Constitution of the United States. We therefore ask you to uphold that oath and to carry out the duties required by the Constitution and entrusted to you by the American people.

The President is limited. He is not all-powerful. He is entrusted with certain limited powers by the people of the United States of America.

Now we understand he intends to go even further. In the response we got back, he never addressed it at all, except for his Secretary of Homeland Security, Mr. Jeh Johnson. He announced that, yes, he is indeed, at the order of the President of the United States, conducting a review of how many other people he can provide this amnesty for and work authorization for.

So last week one of our able colleagues, Senator TED CRUZ—a former solicitor general for the attorney general's office in Texas who has argued cases in appellate courts in the country—identified this problem and proposed I think a legislative fix that every Member of this body should sign. Some may say, Well, the President, I don't think he is going to do this. OK. Why not bar him from doing it? Some say, I don't think we should sign it. Why not? He basically said he has already done it with the younger group, and he said it is going to be a tenfold increase in the 5 million to 6 million people who are suggested to be legal-

ized by the President's unilateral Executive order; represents about 10 times the number of people who have already been given lawful status, in effect, by the President's unlawful Executive order.

At this time perhaps it would be appropriate, and I would appreciate it, if the Senator from Texas would explain his analysis of this issue and how his legislation would be effective in ensuring that we don't go down this illegal road any further.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I thank my friend, the junior Senator from Alabama, for his very kind comments and for his relentless leadership in defense of the rule of law and standing against amnesty.

What I wish to speak about this afternoon is the humanitarian crisis that is playing out on our southern border right now and the abdication of responsibility that is playing out in Washington, DC.

A couple of weeks ago President Obama was in my home State of Texas. He found time to go to two Democratic Party fundraisers, to pal around with some Democratic Party fat cats, to collect a whole bunch of checks. Yet somehow he didn't have time to make it down to our southern border.

The day before he was in Colorado and he found time to play a game of pool with the Governor there. I am glad he enjoyed himself playing pool. Yet somehow he didn't have time to go visit Lackland Air Force Base and see the 1,200 children who are being held there who are paying the price for the failure of the Obama immigration policy. In the coming weeks he is headed to Martha's Vineyard. He is, I am sure, going to enjoy himself paling around with swells. Yet the people held in detention facilities up and down the border are not going to see the Commander in Chief because he cannot be bothered to address the human suffering.

He was just in California, in Hollywood, where the producer of "Scandal" hosted him. That is kind of fitting because it is scandalous that the President has more time to be "Fundraiser in Chief" than he does to do his basic job as Commander in Chief in securing our borders.

Let me tell my colleagues, while the President was running around collecting checks from Democratic Party fat cats, I was back home in Texas. I was on the border this weekend down in McAllen. I sat down with the chief of the Border Patrol in McAllen. I sat down with the line officers of the Border Patrol in McAllen. I visited the detention facilities that are being constructed to hold these children. I saw a remarkable facility. It used to be a gigantic warehouse, and in 18 days the Border Patrol had to stand up a facility to house 1,000 children because that is the volume coming through there every couple of days.

The President is right in one regard. He has publicly stated we are seeing a humanitarian crisis, and that is correct, but it is a crisis of his own creation. This humanitarian crisis is the direct consequence of President Obama's lawlessness. I will note he cannot even be bothered to cast his eyes on the people who are suffering because of it.

If we want to know what is causing this crisis, a simple examination of the numbers will suffice. Just 3 years ago, in 2011, the number of unaccompanied children entering this country was roughly 6,000. Then, in June of 2012, just a few months before the election, President Obama unilaterally granted amnesty to some 800,000 people who were here illegally in this country who entered as children. He did so, presumably, because he thought there would be a political benefit. It was a few months before an election and he thought there was good politics in ignoring the law and granting amnesty. But the foreseeable consequence of that amnesty—the predictable and the predicted consequence of that amnesty—if we tell people across the globe that if they enter as children, they get amnesty, suddenly we create an incredible incentive for more and more children to come and more and more children to come alone.

This year, the Department of Homeland Security estimates that 90,000 unaccompanied children will enter this country illegally. Next year they estimate 145,000. I want my colleagues to compare those numbers for a second. Three years ago, it was 6,000. Now it is 90,000, and next year we expect 145,000. The direct and proximate cause was President Obama's amnesty.

There are some in this body who might not believe what a Member of the opposite party says on this. There is a whole lot of partisanship in Washington. It truly has shut down the ability of this body to deal with real challenges facing this country.

If people don't believe what a Member of the opposite party says, perhaps they will believe the Border Patrol. Just a few weeks ago the Border Patrol conducted a confidential study that was given to members of the Senate Judiciary Committee by a whistleblower in the Border Patrol, where they interviewed over 200 people who had entered the country recently illegally, and they asked them the question: Why are you coming? Ninety-five percent said we are coming because we believe we will get amnesty; that if we just get here, we will be allowed to stay.

The administration has been giving lots of supposed causes for this humanitarian crisis. One of their favorites is the violence in Central America. It is true. Tragically, there is a great deal of violence in Central America and it has been increasing, but I would note violence is not new to the human condition. There have always been countries across the globe that are racked

by violence, racked by civil war, and we have always seen when violence rises, the immigration from a particular country goes up. We see legal immigration from that country go up and we see illegal immigration from that country go up. What we haven't seen in the past is the explosion of children.

The violence in Central America is a reasonable cause to explain the increase in immigrants from Central America, the increase in families coming up to get away from the violence. What it doesn't explain is this new phenomenon: 90,000 unaccompanied children. That is a new phenomenon. There is no reason violence would dictate saying, I am going to take my little boy, I am going to take my little girl, and send them alone. That instead is a direct response to what President Obama did by granting amnesty that was targeted to those who entered as kids. Why are kids entering? Because the President has said, if you enter as a kid, I will grant you amnesty.

Several weeks ago I visited Lackland Air Force Base where roughly 1,200 of these children are being held. I visited with the senior officials there. It is worth understanding that there are many victims of the President's refusal to enforce the law, but some of the most direct victims are these little boys and little girls because the coyotes who are bringing these children in are not well-meaning social workers. They do not have beards and Birkenstocks, and they are not there out of love. These coyotes are hardened, vicious transnational drug cartels, and these children are being subjected to horrific physical and sexual abuse.

When I was at Lackland Air Force Base, a senior official there described to me how these coyotes get custody of these kids to smuggle them illegally into this country, and then sometimes they will decide to hold the children for ransom, to get even more money from the families. If the families cannot or will not pay, horribly, what these coyotes are doing is severing body parts of these children and sending them back to the families.

The senior official at Lackland described coyotes putting machine guns to the back of the head of a little boy or a little girl and ordering them to cut off the fingers or the ears of another little boy or little girl. If the child refuses, they shoot that child and move on to the next one. They described how on our end we are seeing children come into this country—some of whom have been horribly maimed by these violent coyotes and drug cartels, others of whom have enormous psychological damage—from a little boy or a little girl forced to commit such atrocities upon pain of death.

I asked the officials at Lackland: How many of these children have been victimized? The answer: All of them. That was from the senior official at Lackland. By the way, one of the

things we hear reports of is these families with the girls, before they send them up, they give them birth control because the expectations are that the risks of sexual assault and rape are so high. That risk is being undertaken because of the promise of amnesty.

When I was down in McAllen this weekend, I asked the line agents—I said: Listen. Every day you guys are on the river, you are in the helicopter, you are securing the border. Why are they coming? What has changed? Just 3 years ago it was 6,000 kids. Now it is 90,000. What has changed? Every single one of the Border Patrol agents gave the exact same answer. They said they are coming because they believe they will get amnesty.

It is important to understand, by the way, the coyotes smuggle them across the border, and as soon as they get across the border, they actively look for the Border Patrol. They are not being captured. They are not being caught. They go look for someone in uniform. They may have ragged clothes falling off their back, they may not have food or water, but they have their papers. They have their papers with them. They cross the border illegally with a coyote and they endure the physical and sexual abuse and then they look for the Border Patrol to hand their papers to. Why? Because they believe once they get here and hand their papers over, they get amnesty.

If we want to solve this crisis, there is one, and only one, way to solve this crisis; that is, to eliminate the promise of amnesty. I mentioned a few moments ago that I wanted to talk about this humanitarian crisis and talk about the abdication of responsibility because Washington has always been lousy at taking responsibility for the suffering our policies create. But the response of this President, and I am sorry to say the Democratic majority in this body, has been particularly callous.

President Obama proposed a \$3.7 billion supplemental plan. Mind you, he did not have time to visit the border, to visit the children, to see the suffering, but he proposed yet more spending. The \$3.7 billion supplemental is an HHS social services bill. It spends a whole bunch of money. By the way, to give you a sense of just how much \$3.7 billion is, for \$3.7 billion we could purchase a first-class airplane ticket for each one of these 90,000 children to return them home—first class—sitting in the front row of a commercial airline. After doing so, we could deposit \$3.6 billion back in the Federal Treasury. It is a massive amount of money he has asked for, and what is striking, less than 5 percent of it goes to border security.

Here is the cynical part. Here is the sad part. Nothing in the President's proposal does anything to solve the underlying problem. Nothing does anything to eliminate the promise of amnesty. Nothing does anything to solve the problem. What the President is

saying is he is perfectly content for this crisis to continue in perpetuity. Under the President's bill, next year we can expect 145,000—DHS expects—to come. We can expect tens of thousands or hundreds of thousands of little boys and little girls to be physically assaulted and sexually assaulted by coyotes.

That is not humane. That is not compassionate. Any system that continues to have children in the custody of these vicious drug cartels is the very opposite of humane and compassionate. As my friend the junior Senator from Alabama pointed out, the magnet of amnesty has been significantly exacerbated in recent months. Why? Because President Obama, in a very high-profile way, met with far-left activists and made a promise. He said: I am going to study how to expand amnesty and to grant amnesty to another 5 or 6 million people here illegally.

Let's be clear. There is nothing—zero—in U.S. immigration law that gives the President the power to grant amnesty. It is open lawlessness and contempt for rule of law, but yet that promise is heard. That promise is heard throughout Central America. That promise is heard by those mothers and dads who make the heart-wrenching decision to hand their sons and daughters over to these coyotes. They do so because they love their kids and they believe, as terrible as the journey will be, that if they get here, they get a permiso, they get to stay in the "promised land." That promise of amnesty is why this crisis has happened.

So I have introduced legislation to solve the problem. Last week I introduced a very simple bill that puts into law that President Obama has no authority to grant any additional amnesty. It is a very simple bill. It prevents the President from taking the DACA Program that he unilaterally and illegally implemented in 2012 and expanding it to cover any new immigrants.

It is interesting. Representatives from the administration go on television and they say: These children are not eligible for amnesty. If that is their position, the administration should support my bill. If that is their position, all this bill does is put into law what they say their position is; that these children are not eligible for amnesty.

Have they supported the bill? They have not. Instead the majority leader of this body took it upon himself to go out and hold a press conference. What is the top priority for the majority leader of this body? To come after and attack the legislation I introduced, to personally come after the freshman Senator from Texas. The majority leader is welcome to impugn any Member of this body. Sadly, that happens all too often. But yet nowhere in the majority leader's comments was a word said about solving this problem. Nowhere in the majority leader's comments was a word said about changing

it so little boys and little girls are not physically and sexually assaulted so we do not have tens of thousands and hundreds of thousands of kids coming illegally into this country.

Look, we all understand politics in this town. It is an election year. The election is a few months away. Scaring people and demagoguing, unfortunately, is not new to Washington. But the cynicism that is reflected in President Obama's and the majority leader's approach to this issue is a new level for this town.

This week I am introducing broader legislation that not only includes what was included last week—a prohibition on the President granting amnesty—but includes two other elements: a reform of the 2008 law to expedite the humane return of these children to their families and a provision to reimburse the cost for the States calling up the National Guard to secure their borders.

I would like to say a word about the 2008 law. That has actually been discussed a lot in this body. Indeed, the Obama administration has two talking points. If we ask the administration what has caused this crisis, the first one is violence in Central America. There is something convenient about that talking point because if it is violence in Central America, it is not President Obama's fault. It is not anything they have done. It is something else extrinsic. But the second talking point that sometimes the administration will say is that the cause of this crisis is the 2008 law.

There is a reason they point to that. Because it seems there is nothing President Obama enjoys more than blaming everything bad on this planet on George W. Bush. The 2008 law was signed by George W. Bush. So if this crisis was caused by the 2008 law, then *mirabile dictu*, it is not this administration's fault.

But John Adams famously said: Facts are stubborn things. If someone is going to make a claim that a crisis is caused by the 2008 law, they have to be willing to take at least a moment to look to the facts.

The 2008 law was passed, unsurprisingly, in 2008. The number of children entering unaccompanied did not spike in 2008. It did not spike in 2009. It did not spike in 2010. It did not spike in 2011. In 2011 it was roughly 6,000. If the 2008 law were the cause of this crisis, we would have seen the numbers spike in 2008 or 2009 or 2010 or 2011. No, they did not spike until 2012—June of 2012—when the President pulled out his pen and granted amnesty. That is the cause—the direct cause—the cause that the Border Patrol tells us these immigrants are telling us is why they are coming.

Once the crisis was created, the 2008 law has had unintended consequences. The 2008 law allowed expedited removal for unaccompanied children from Mexico and Canada—our immediate contiguous countries—but created slow, delayed, bureaucratized removal for children from more distant countries.

That did not create significant problems in 2008 or 2009 or 2010 or 2011 because we did not have a massive influx of kids from those countries. But once the President illegally granted amnesty and we started getting—as we are expected to this year—90,000 unaccompanied children—most of whom are from Central American countries—now we are seeing the 2008 law cause real problems because returning these children home is delayed, often delayed indefinitely.

When I was in the McAllen meeting with the line Border Patrol agents, I asked them another question. I said: Listen. Washington is dysfunctional. Partisan politics rips the town apart. If you could ignore the politics, what do you say on the frontlines? How do we actually secure the borders? How do we solve this problem? Every single one of the Border Patrol agents answered the same way. They said: We have to send them home.

We treat them humanely. We treat them compassionately—because that is who we are as Americans; those are our values—but humanely and compassionately we need to expeditiously return them to their families back home. Why? Because if the children are allowed to stay—and, mark my words, President Obama wants these children to stay and he wants to grant amnesty to the next children and the next children, which means that promise of amnesty will cause tens of thousands and hundreds of thousands of children to continue to be physically assaulted and sexually assaulted in perpetuity.

If we grant amnesty, all it will do is incite yet more kids to be victimized. The only way to solve this problem—this is coming from the Border Patrol agents—is to humanely and expeditiously send them home, reunite them with their families.

The legislation I am introducing this week changes the 2008 law so the policies for sending them home are the same as the policies for Mexico and Canada. We treat Mexico and Canada with great friendship and compassion. There is no reason the very same procedures cannot apply to children from Central America.

The final element of this bill is dealing with the real security crisis that is occurring.

Just today the junior Senator from Alabama and I both heard a briefing from one of our senior military leaders on the national security threats caused by our porous borders, by the same avenues that are taking those kids in and that are also being used to smuggle vast quantities of drugs. The same corridors that are taking those kids in are also being used to smuggle in thousands of aliens from special interest countries, from the Middle East, aliens from countries that face serious issues of radical Islamic terrorists.

A number of our border Governors have stepped forward to respond to this crisis. I commend the Governor of my home State of Texas, Rick Perry, for

showing leadership and calling up the National Guard in Texas. It was the right thing to do. He should not have to do it. The Constitution gives that responsibility to the Federal Government. The Governor should not have to step in and fill the breach. They are doing so because the President and the Federal Government are refusing to do their job. But I commend the Governors for doing so. The legislation I am introducing simply provides that when a State steps up and does the job that is our responsibility, the Federal Government will reimburse the costs.

In all likelihood, next week we are going to have a vote on a bill that is denominated a "border security" bill. It is a bill the majority leader wants us to vote on that is a version of the President's HHS social services bill and spends a whole bunch of money and does nothing, zero, nada, to solve the problem.

The majority leader knows that. The President knows that. The intention is to have it voted down. One of the incredible things about where we are right now is this Democratic Senate is a do-nothing Senate. We do not pass any legislation of consequence. There is a reason for that. The majority leader has decided we are not going to pass any legislation of consequence. So instead what do we have? We have a series of show votes, every one of which is designed to fail, every one of which the majority leader knows will fail, and every one of which is poll tested or focus-group tested to allow Democrats running for reelection to campaign based on those votes.

It is not legislating. It is not doing the job the Senate was meant to do. This border security bill that we will likely vote on next week will do nothing for border security. It is not designed to. Even if it were to pass, it is not designed to. It is not designed to do anything to stop President Obama's amnesty. It is not designed to do anything to expedite reuniting these kids with their families back home. It is simply designed to be a fig leaf, to say: The Democrats have responded to this crisis. The evil, mean, nasty Republicans did not go along.

That is a political narrative that is not new. It is common in partisan politics. It just happens not to be true. Unfortunately, the Democratic majority in this body has demonstrated no interest in actually solving this problem. You want to know just how cynical the majority leader's strategy is? They have added to this border bill a provision that would replenish the Iron Dome missiles for the nation of Israel.

I would note that has nothing to do with the crisis at our southern border. It is a policy that is unambiguously good. Every Member on the Republican side of this Chamber supports replenishing the Iron Dome missiles that are right now keeping Israel safe from the Hamas terrorist rocket fire. So why has the majority leader stuck that onto a bill that he knows will fail and is designed to fail?

Well, it is called partisan politics. Because when it fails, the talking points will come out. The majority leader will come out and say: The Republicans do not want to solve the problem on the border. The Republicans are unwilling to stand with our friend and ally Israel. Let me tell you right now, every Republican on this side of the Chamber would vote right now, this afternoon, to replenish the Iron Dome missiles. To be honest, we should be voting. You know, in most parts of the country, Thursday afternoon, 4:30, people who actually have an honest job are still at work. Not in the Senate. The Senate people head on home. People are out campaigning. How about we actually have Senators show up on this floor more than one or two at a time and debate these issues? How about we actually see Senators stand, debate the issues, and resolve the problems?

The majority leader went on television and said: The border is secure. I find that an astonishing assertion. I recognized how from the perch of Washington, DC, it might seem that way. Perhaps the DC/Virginia border is secure. But I would invite the majority leader and I would invite any Member of the Chamber: Come down to Texas. Come to McAllen. Come visit the border. When I was in McAllen on Saturday, the Border Patrol agents told me the day before they had apprehended 622 people.

I went to the processing center. They had 10 holding centers with 600 or 700 people there. One holding room had little girls below age 14, unaccompanied. Another holding room had little boys under age 14, unaccompanied. The third holding room had girls ages 14 to 19, unaccompanied. The fourth room had boys ages 14 to 19, unaccompanied. The fifth and sixth rooms had family units, mothers and fathers and little bitty babies, including tiny infants needing diapers and formula. Then the final four holding areas held adults.

That was one day. That was not a week. That was not a month. That was one day. Ninety thousand unaccompanied children are expected to enter the country this year. The majority leader of the Senate says the border is secure. I would invite the majority leader to say that to those little boys and little girls who have just been victimized that the border is secure. That sure would surprise them. I would invite the majority leader to say that to the farmers and ranchers and the citizens in South Texas because that sure would surprise them.

By the way, when you get outside of Washington this issue is not partisan. When you go down to South Texas and you visit with the elected leaders there, many of whom—most of whom—are elected Democrats and often Hispanic Democrats, and you ask: What is your top priority? Among Hispanic Democrats on the border, they say: Border security—because the border is so far from secure that their communities are paying the price.

I would invite the majority leader to come to Brooks County, TX. In Brooks County, TX, hundreds of men, women, and children are found dead from crossing illegally. I would invite the majority leader to look, as I have, at the photographs of these bodies. Pregnant women are abandoned and left to die. Those are vicious cartels and coyotes. This is the face of amnesty. Ninety thousand children being victimized, being physically assaulted and sexually assaulted. This is the face of amnesty: Children held in detention centers with chain-link fences going up 18 feet, separating them in separate pens. This is the face of amnesty. Our heart breaks for these kids. But if it really breaks for those kids, we should do something about it. The only way to stop this humanitarian crisis is to stop President Obama's amnesty. As long as the President continues to promise amnesty, these children will keep coming, and they will keep being victimized.

Sadly, as long as Senate Democrats are unwilling to stand up to their President and say, let's actually show some leadership and fix this problem, then the Senate will continue to be the Democratic do-nothing Senate. We will not solve those problems. We will fail in the fundamental obligation all of us owe to the men and women who elected us.

THE PRESIDING OFFICER. The Senator from Alabama.

MR. SESSIONS. Mr. President, I thank the Senator from Texas because it, indeed, is the face of amnesty. He has documented for us, I think indisputably, that this surge of immigration was a result of the amnesty provided for these children by the President of the United States. I think that has been shown. I think we have never had a clearer analysis of it.

I am reading now further in the National Journal article about what the President plans to do next. The concern we have is about the future. I am not making this up, colleagues. This is a very real action the President is considering, as I read from that chart on amnesty. He would execute, contrary to law, what would give legal status and work status to 5 to 6 million people, 10 times the number that he has been provided for in this action.

What did the National Journal report? Well, I am quoting here.

The President also told a group—This is the group of La Raza and other activist groups that are demanding amnesty and, really, open borders. He told them that Boehner, the Speaker of the House "urged him not to press ahead with executive actions because that would make legislating more difficult next year."

In other words, Speaker BOEHNER said: Do not use this executive amnesty in the future, Mr. President. So now the President is talking to the group, these activists that have been pushing him and demanding things. This is what the article says.

Obama told the group, according to those present, his response to Boehner was: 'Sorry

about that. I'm going to keep my promise and move forward with executive action soon.'

It makes the hair stand up on the back of my neck as a former Federal prosecutor in Federal court for almost 15 years to have the President say this. The article went on to say:

In the room, there was something of a collective, electric gasp. The assembled immigration-rights groups had been leaning hard on Obama for months to use executive action to sidestep Congress and privately mocked what they regarded as Pollyanna hopes that House Republicans would budge . . . Obama told the groups what they had been dying to hear—that he was going to condemn House Republicans for inaction and . . . provide legal status to millions of undocumented workers—all by himself.

Mr. CRUZ. Would the Senator yield for a question?

Mr. SESSIONS. I would be pleased.

Mr. CRUZ. The junior Senator from Alabama has just described President Obama's stated intention to grant amnesty to an additional 5 to 6 million people here illegally in the months preceding this next election. As the junior Senator from Alabama is certainly aware, there are a number of Senators up for reelection, including a number of Democrats in bright red States where the constituents of those States, whether in Louisiana or Arkansas or North Carolina or many other States, do not support amnesty for another 5 to 6 million people here illegally.

The question I would ask my friend from Alabama: Is he aware of any Democrat in this Chamber, including those Democrats running for reelection in conservative States where the citizens strongly oppose amnesty—is he aware of any Democrat in this Chamber who has had the courage to stand with him in standing up to President Obama and saying: Do not grant amnesty illegally? Is he aware of any Democrat who has joined the two of us in our legislation to prohibit President Obama from illegally granting amnesty to 5 to 6 million people?

Mr. SESSIONS. Well, I am not. One of the things I think the American people do need to understand is when Majority Leader REID, in conjunction with the President of the United States, blocks even amendments up for a vote, where does he get his power? He gets his power from every Member of his conference.

None of them are breaking in and saying: This is not right.

Senator CRUZ's bill would deal with this future danger, that the President might do this again. I think—and we have looked at it hard, our Judiciary staff—we both serve on that committee—and have said this will actually work to ensure that we don't have another rogue action, unlawful, by the President of the United States, directly contrary to deciding the will of the American people and congressional action.

The President is happy that Congress doesn't pass his law, and he says: They won't act, so I will.

But, colleagues, when we don't act, we act. That is an act. It is a decision as sure as if we had passed a law. A decision not to act is a decision. The President of the United States can't simply go around and say: I can do anything I want because Congress won't act. How ridiculous is that? A National Journal article calls this policy explosive, and I believe that is a direct action.

One more question. Senator CRUZ, I know, is a student of the Constitution, and Professor Turley at George Washington University has testified numerous times before Congress. I think he considers himself a Democrat, a liberal, but he is deeply concerned about the future of our Republic because of the President's overreach and exceeding the lawful powers given to the President.

Is some other President going to expand it further and very soon Congress becomes nothing? I would ask if the Senator shares this concern, because he was very active in the attorney general's office in Texas. Professor Turley said:

The President's pledge to effectively govern alone is alarming, and what is most alarming is his ability to fulfill that pledge. When a president can govern alone, he can become a government unto himself, which is precisely the danger the framers sought to avoid . . .

What we're witnessing today is one of the greatest crises that members of this body will face. . . . It has reached a constitutional tipping point that threatens a fundamental change in how our country is governed.

Does that cause the Senator concern and does he have any thoughts about that?

Mr. CRUZ. Senator SESSIONS, it causes me great concern. One of the most troubling aspects of the Obama Presidency has been the persistent pattern of lawlessness from this President. We have never seen a President who, if he disagrees with a particular law, so frequently and so brazenly refuses to enforce it, refuses to comply with it, and asserts the power to unilaterally change it.

The President famously said: I have a pen and I have a phone, and he seems to confuse his pen and his phone for the constitutional process of lawmaking our country was built on.

Rule of law does not mean you have a country with a whole lot of laws. Most countries have laws, and many totalitarian countries have a whole lot of laws. Rule of law means no man is above the law. It means that everyone, everyone, everyone, and especially the President, is bound by the law.

President Obama openly defies his constitutional obligation under article 2 of the Constitution to take care that the laws will be faithfully executed.

I would note that Professor Turley, as the junior Senator from Alabama quoted, is a liberal Democrat who in 2008 voted for President Obama. Professor Turley also testified before the House that President Obama has become the embodiment of the imperial

President. Barack Obama has become the President Richard Nixon always wished he could be.

Those are the words of a liberal Democratic constitutional law professor who voted for Barack Obama.

But my friend the junior Senator from Alabama is learned and experienced in the ways of the Senate. He has seen lions of the Senate walk this floor. It is unprecedented to have a President so brazenly defy the rule of law, but I state what is equally unprecedented, to have the Senate lie down and meow like kitty cats.

Abuse of power by the President is not a new phenomenon. Presidents of both parties have abused their power. That is a job, sadly, where that tendency has been significant. But in the past, when Presidents have abused their power, Members of their own party stood and called them to account for it. When Richard Nixon abused his power, Members of both parties rightfully decried his abuse of power, so much so that he was forced to resign.

I can state when George W. Bush was President, he signed a two-paragraph order that purported to order the State courts to obey the World Court. I know this because I was at the time serving as the solicitor general of Texas, and it was our State courts that the President's order purported to bind.

George W. Bush is a good man. He is a former Governor of Texas, he is a Republican, and he was a friend and is a friend. Yet I was proud that the State of Texas did not hesitate to stand up to that abuse of power. I went before the U.S. Supreme Court on behalf of the State of Texas and argued that President George W. Bush's order was unconstitutional, that no President has the authority to give up U.S. sovereignty. I am pleased to say the U.S. Supreme Court agreed and struck down the President's order by a vote of 6 to 3.

What is unprecedented today is that on the left side of the Chamber it is both literally and figuratively empty.

We had, not too long ago, the President abuse his power with recess appointments. One of the important checks and balances the Constitution creates on Presidential authority is it gives this body, the Senate, the power of confirmation. President Obama apparently didn't like any checks and balances on his power, so he made a series of recess appointments when the Senate wasn't in recess. It was brazen, it was naked. The President simply asserted: I say the Senate is in recess. Mind you, the Senate didn't say we were in recess, but the President claimed the power to declare us in recess when we weren't.

Do you want to know how extreme that was? Do you want to know how brazen that was? Do you want to know how extraordinary that was?

Just a few weeks ago the Supreme Court unanimously struck it down as unconstitutional.

It is important to underscore that. There is a lot of coverage in the newspaper that suggests we have liberal Justices, conservative Justices, and on any close issue it is going to be 5 to 4. This wasn't 5 to 4, it wasn't 6 to 3, it wasn't 7 to 2, and it wasn't even 8 to 1—9 to 0. Every Democratic appointee on the Court—both of President Obama's appointees on the Court. They looked at the substantive issue and they said: This ain't hard. The President doesn't get to say when the Senate is in recess, the Senate gets to say when the Senate is in recess. And if the Senate isn't in recess, the President has to respect the checks and balances of confirmation.

So we have an easy, no-brainer layup of a constitutional law question about the President usurping the constitutional prerogatives of the Senate, and how many Senate Democrats stood up to their party's President? Not a single one. Not the majority leader of the Senate, who we would think might have some interest in the credibility of this institution and, I am sorry to say, not a lone Democratic Senator. It wasn't that long ago there were lions of the Senate on the Democratic side who prided themselves on defending this institution: Robert Byrd, who stood for years defending this institution; Ted Kennedy.

I would say to my friend the junior Senator from Alabama, what is truly unprecedented is that there are no Senate Democrats who say: Enough is enough.

I am hopeful at some point we will see a Senate Democrat listen to their constituents, listen to the Constitution, and listen to the rule of law.

I can assume the reason why Senate Democrats don't do it and why our friends in the press often don't report on this. I can assume their reasoning goes something such as: Well, I basically agree with the policies of President Obama. I like the policies. I agree with what he is doing, and he is our guy. We kind of have to back our guy.

I am guessing that is a reason, but I will note, as the Scriptures say: There came a pharaoh who knew not Joseph and his children.

President Barack Obama will not always be President of the United States. There will be another President. And even to my friends on the Democratic side of the aisle—I must say something shocking and terrifying to you—there will come another Republican President.

If the President has the authority to do what President Obama is claiming, with ObamaCare—28 times—he simply unilaterally changed the text of the law, said: It doesn't matter what the law says, I say it is something different. If the President has that power, a Republican President has that power too.

So I would encourage all of my friends on the left who like these policy issues—well, imagine some of the policy issues you don't like, whether on labor law or environmental law or

tort reform or let's take tax law. I will give an example.

Imagine a subsequent Republican President who stood up and stated quite sensibly the economy might do much better if we move to a flat tax, so I am therefore instructing the IRS: Do not collect any tax above 20 percent.

Now one might say, well, that sounds extreme. That sounds radical. As a policy matter, that would be a terrific policy.

But could the President instruct the IRS not to enforce tax laws? Fifty-five Members of this body are already on record saying yes. Do you know why? Because when the President suspended the employer mandate for big business, the text for ObamaCare says the employer mandate kicks in on January 1, 2014. The President said: I am suspending that provision of law. I am granting my buddies in big business a waiver. That was a tax law.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Texas.

I think what he is saying is reflected in what Professor Turley said. It is almost like a plea to his colleague, maybe his Democratic colleague, his friend. He said: "The President's pledge to effectively govern alone is alarming, and what is most alarming is his ability to fulfill that pledge."

In other words, his ability to get away with it; that Congress acquiesces in it. Let me say this the President is not going to get away with a unilateral amnesty. We are going to take this to the American people, and at some point this Congress will be held to account if he does so. Remember, every Member is going to have to vote and be responsible for allowing a President to run roughshod over the law of this country, the people's representatives, and, in effect, the people of the United States.

His plan for amnesty, under the circumstances he advocated them, has been rejected.

Congress is always available to consider any issue and make any decision it chooses, but it has, under the circumstances driven in this body, been rejected.

He has no power to go forward and beyond that, and we are not going to allow it to happen. It is wrong. Whether we agree or disagree about how amnesty should be given, it is wrong for the President to unilaterally execute such a policy, as Professor Turley said and as the Senator from Texas has said, the former solicitor general of the State of Texas. He understands it is law, and this matter is not over. We will continue to advocate.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank the Chair.

(The remarks of Mr. HARKIN pertaining to the introduction of S. 2658 are printed in today's RECORD under

"Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Thank you, Madam President. This is my 75th "Time to Wake Up" speech, something of a minor benchmark, I suppose. I come here urging my colleagues to wake up to the threat of climate change. I do this every week we are in session, hoping someday a spark will hit tinder. But even as the evidence of climate change deepens, the dialogue in Washington remains one-sided.

Climate change was once a bipartisan concern. In recent years something changed. I think I know what changed, and I will get to that. First, let's reminisce about the bipartisanship. As we take a look back in this body, we have Republican colleagues who once openly acknowledged the existence of carbon-driven climate change and who called for real legislative action to cut carbon emissions. Imagine that. It wasn't that long ago.

We have a former Republican Presidential nominee amongst us who campaigned for the Presidency on addressing climate change. We have Republicans here who have spoken favorably about charging a fee on carbon, including an original Republican cosponsor of a bipartisan Senate carbon-fee bill. We have a Republican colleague who cosponsored carbon fee legislation in the House and another who voted for the Waxman-Markey cap-and-trade bill when he was in the House. For years—for years—there was a steady, healthy heartbeat of Republican support for major U.S. legislation to address carbon pollution.

Let me be specific. In 2003, Senator JOHN MCCAIN was the lead cosponsor of Democrat Joe Lieberman's Climate Stewardship Act, which would have created a market-based emissions cap-and-trading program to reduce carbon dioxide and other heat-trapping pollutants from the biggest U.S. sources.

Here is what Senator MCCAIN said at the time:

While we cannot say with 100 percent confidence what will happen in the future, we do know the emission of greenhouse gases is not healthy for the environment. As many of the top scientists through the world have stated, the sooner we start to reduce these emissions the better off we will be in the future.

His Climate Stewardship Act actually got a vote. Imagine that. When it did not prevail, Senator MCCAIN reintroduced the measure himself in the following Congress. Republican Senators Olympia Snowe of Maine and Lincoln Chafee of Rhode Island, my predecessor, were among that bill's cosponsors. Other Republicans got behind other cap-and-trade proposals. Senator TOM CARPER's Clean Air Planning Act at one time or another counted Senator LAMAR ALEXANDER of Tennessee, Senator LINDSEY GRAHAM of South Carolina, and Senator SUSAN COLLINS of Maine among its supporters.

In 2007, Republican Senator Olympia Snowe was a lead cosponsor of then-Senator Kerry's Global Warming Pollution Reduction Act. Senators MURKOWSKI and Stevens from Alaska and Senator Specter of Pennsylvania, then a Republican, were original cosponsors of the Bingaman Low Carbon Economy Act. That same year Senator ALEXANDER introduced the Clean Air/Climate Change Act of 2007. Each of these bills sought to reduce carbon emissions through a cap-and-trade mechanism.

Said Senator ALEXANDER:

It is also time to acknowledge that climate change is real. Human activity is a big part of the problem and it is up to us to act.

That bipartisan heartbeat remained strong in 2009. Senator MARK KIRK of Illinois, while he served in the House of Representatives, was one of eight Republicans to vote for the Waxman-Markey cap-and-trade proposal. In that same year, 2009, Senator JEFF FLAKE of Arizona, then representing Arizona in the House, was an original cosponsor of the Raise Wages, Cut Carbon Act to reduce payroll taxes for employers and employees in exchange for equal revenue from a carbon tax. On the House floor then-Representative FLAKE argued the virtues of this approach. He said:

If we want to be honest about helping the environment, then just impose a carbon tax and make it revenue neutral. Give commensurate tax relief on the other side. Myself and another Republican colleague have introduced that legislation to do just that. Let's have an honest debate about whether or not we want to help the environment by actually having something that is revenue neutral where you tax consumption as opposed to income.

It was a good idea then and it is still a good idea now. Senator FLAKE's words were echoed that year in the Senate by Senator COLLINS, a lead cosponsor of the Carbon Limits and Energy for America's Renewal Act, Senator CANTWELL's carbon fee bill.

"In the United States alone," said Senator COLLINS, "emissions of the primary greenhouse gas carbon dioxide have risen more than 20 percent since 1990. Clearly climate change is a daunting environmental challenge," she said, "but we must develop solutions that do not impose a heavy burden on our economy, particularly during these difficult economic times."

Madam President, 2009—think of it. There was once not too long ago a clear and forceful acknowledgment from leading Republican voices of the real danger posed by climate change and of Congress's responsibility to act.

What happened? Why did the steady heartbeat of Republican climate action suddenly flatline?

I believe we lost the ability to address climate change in a bipartisan way because of the evils of the Supreme Court's Citizens United decision. Our present failure to address climate change is a symptom of things gone awry in our democracy due to Citizens United. That decision did not enhance speech in our democracy. It has allowed bullying, wealthy special interests to suppress real debate. I have spo-

ken before on the Senate floor about the Supreme Court's Citizens United decision, one of the most disgraceful decisions by any Supreme Court, destined ultimately, I believe, to follow cases such as *Lochner v. New York* onto the ash heap of judicial infamy, but we are stuck with it for now. In a nutshell the Citizens United decision says this: Corporations are people. Money is speech. So there can be no limit to corporate money influencing American elections.

If that doesn't seem right, it is because it is not. Phony and improper fact-finding by the five conservative activists on the Supreme Court concluded that corporate spending could not ever corrupt elections—just couldn't do it. By some magic it is pure. That is a bad enough finding on its face, but they also didn't get that limitless, untraceable political money doesn't have to be spent to damage our democracy.

Unlimited corporate spending in politics can corrupt not just through floods of anonymous attack advertisements, it can corrupt secretly and more dangerously through the mere threat of that spending through private threats and promises. The Presiding Officer was the attorney general of her State, and she well knows how much mischief can be done in back rooms by threats and promises. That is what attorneys general see when they go out and investigate.

As we are evaluating the effect of Citizens United on our climate change debate, let's remember this: A lot of this special interest money has been spent against Republicans. I have had Republican friends tell me, "What are you complaining about? They are spending more against us than against you." There have been times when that has been true.

When the Koch brothers' polluter money can come in and bombard you in a small primary election, that is pretty scary. When the paid-for rightwing attack machine can be cranked up against you in your Republican primary, that is pretty scary too. What the polluters can do with political spending, they can threaten or promise to do in ways that the public will never see or know, but the candidate will know. The candidate will know for sure.

So I wrote a friend-of-the-court brief to the Supreme Court with Senator JOHN MCCAIN to highlight for the Justices some of the failings and pitfalls of their shameful Citizens United decision. "The dominating influence of super PACs," we wrote, "makes it all the easier for those seeking legislative favors and results to discreetly threaten such expenditures if Members of Congress do not accede to their demands." I think we were right.

How does this bear on climate change? All that bipartisan activity I talked about preceded Citizens United. After that, polluter attacks funded by Citizens United money and the threat of those polluter attacks—perhaps promises not to make those attacks if

you behave—cast a dark shadow over Republicans who might work with Democrats on curbing carbon pollution. Tens, perhaps even hundreds of millions of dark-money dollars are being spent by polluters and their front organizations, and God only knows what private threats and promises have been made.

The timing is telling. Before Citizens United, there was an active heartbeat of Republican activity on climate change. Since then, the evidence has only become stronger. But after Citizens United uncorked all that big, dark money and allowed it to cast its bullying shadow of intimidation over our democracy, Republicans—other than those few who parrot the polluter party line that climate change is a big old hoax—have all walked back from any major climate legislation.

We have Senators here who represent historic native villages that are now washing into the sea and needing relocation because of climate change and sea-level rise. We have Senators here who represent great American coastal cities that are now overwashed by high tides because of climate change. We have Senators representing States swept by drought and wildfire. We have Senators whose home State forests by the hundreds of square miles are being killed by the marauding pine beetle. We have Senators whose home State glaciers are disappearing before their very eyes. We have Senators whose States are having to raise offshore bridges and highways before rising seas. We have Senators whose emblematic home State species are dying off, such as the New Hampshire moose, for instance, swarmed by ticks by the tens of thousands that snows no longer kill. Yet none will work on a major climate bill. It is not safe to ever since Citizens United allowed the bullying, polluting special interests to bombard our elections, and threaten and promise to bombard our elections with their attack ads.

Despite all the dark money, despite the threats and intimidation, I still believe this can be a courageous time. We simply need conscientious Republicans and Democrats to work together in good faith on a common platform of facts and common sense to protect the American people and the American economy from the looming effects of climate change in our atmosphere, on our lands, and in our oceans. We simply need to shed the shackles of corrupting influence and rise to our duty.

In courageous times, Americans have done far more than that. It is not asking much to ask this generation to stand up to a pack of polluters just because they have big checkbooks. In previous generations, Americans have put their very lives, fortunes, and sacred honor at risk to serve the higher interests of this great Republic. We know it can be done because it has been done.

We do not have to be the generation that failed at our duty. We are headed

down a road to infamy now, but it doesn't have to be that way. We can leave a legacy that will echo down the corridors of history so that those who follow us will be proud of our efforts. But sitting here doing nothing, yielding to the special interest bullies and their Citizens United money, pretending that the problem isn't real, will not accomplish that.

As I have said before, 74 times, and as I say tonight for the 75th time, it is time for us to wake up.

I thank the Presiding Officer.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING ISRAEL

Mr. McCONNELL. Madam President, yesterday Secretary of Defense Chuck Hagel wrote to the majority leader seeking \$225 million in additional U.S. funding for the production of Iron Dome components in Israel so they can maintain adequate stockpiles and defend their population. Republicans are united in support of our ally Israel. We have legislation that would allow Congress to meet the Secretary's request, and we hope our friends on the other side will join us in coming to a sensible, bipartisan solution that can be passed quickly.

As most Senators know, the Iron Dome missile defense system has played a critical role in defending Israel's population from rocket attacks launched by Hamas from within the Gaza Strip.

While our friends in Egypt are working to bring Hamas to a cease-fire and end this mirage of rocket attacks—attacks that indiscriminately target the civilian population of Israel—the Iron Dome system will remain critical to Israel's security until a true cease-fire is achieved. It will remain vital afterwards as well, because this defensive system helps blunt the impact of one of Hamas's preferred tools of terror.

By passing a bipartisan measure to meet the Secretary's request, we can send a message to Hamas that its terrorist tactics and its attempts to terrorize Israel's populace will not succeed. And we can help Israel defend its civilian population against indiscriminate attacks as it continues its campaign—Operation Protective Edge—to destroy the often Iranian-supplied weapons stockpiled within Gaza, as well as to eliminate the tunnels that allow terrorists to infiltrate into Israel and smuggle arms into Gaza.

BURMA

Now, on a different matter in a different part of the world. For more than two decades I have been coming to the Senate floor to discuss the latest events in Burma. Typically, in the

spring, I would introduce legislation to renew the import sanctions on the then-Burmese junta contained in the Burmese Freedom and Democracy Act. In addition to pressuring the junta, the annual renewal of the import sanctions provided a useful forum to focus public attention on Burma.

After much deliberation, last summer Members of Congress chose not to renew these sanctions for another year as Burma had demonstrated progress toward implementing governmental reform. That said, Burma's path to reform is far from complete. Much work remains to be done. As such, it is important to continue focusing attention on the country in a regular fashion. That is what I wish to do today, to highlight an important, immediate, intuitive step that the country can take to reassure those who wish the country well, that it remains on the path to reform.

In many ways the Burma of 2014 scarcely resembles the nation that existed in 2003 when Congress first enacted the BFDA against the Burmese junta. Beginning about 3 years ago, Burma began to make significant strides forward in several key areas.

Under President U Thein Sein, the Burmese Government began to institute reforms that surprised virtually all of the onlookers. In the following years, the government granted numerous amnesties and political pardons to political prisoners and has released more than 1,100 political prisoners to date.

As a result of the new government's actions, Daw Aung San Suu Kyi, the Nobel Peace Prize laureate, was released from house arrest after spending 15—15—of the previous 21 years in detention. Since her release from House arrest, Daw Suu has been permitted to travel abroad. Moreover, a by-election was held in April 2012 and she was elected as a member of Parliament along with a number of her National League for Democracy colleagues. In fact, when she did travel abroad back in 2012, at my invitation she came to Louisville, KY. It was an incredible experience to have her in our State and in our country.

In light of these democratic reforms—many of which I witnessed firsthand when I visited the country in January of 2012—I believe that to no small degree Burma has been a remarkable story among many dark developments in the world today.

However, even though the country has made incredible progress in a relatively short period of time, to many Burma of late appears stalled amidst a score of pressing challenges. These include continued conflict between the government and ethnic minorities, governmental restrictions on civil liberties, and ongoing humanitarian issues in Rakhine State. All are serious concerns that command close attention. And related to all of these issues is the need for Burma to continue to bring the military under civilian con-

trol if it is to evolve into a more representative government.

With the by-election in Burma scheduled for late this year and a parliamentary election scheduled for late 2015, reformers in the Burmese Government have an opportunity to regain their momentum. To my view, the time between now and the end of 2015 is pivotal—pivotal—for Burma. The elections will help demonstrate whether the country will continue on the reformist path.

With that in mind, the Burmese Government should understand that the United States, and the Senate specifically, will watch very closely at how Burmese authorities conduct the 2015 parliamentary elections as a critical marker of the sincerity and the sustainability of democratic reform in Burma.

President U Thein Sein has made public assurances that the upcoming parliamentary election will be “free and transparent.” However, his pledge has already been challenged by several campaign restrictions.

One of those restrictions is a simple one. It involves who can be chosen for the most important civilian office in Burma: The Presidency.

Burma has several requirements governing who can hold this highest office. Some of them make sense. For instance, like the United States, Burma has a minimum age requirement for its highest office. Its President must be at least 45 years old. I suppose that helps assure that only someone with a fair amount of life experience can be President.

In addition, the Burmese constitution stipulates that the President must be a citizen who is “well acquainted” with the country's “political, administrative, economic, and military” affairs, and is “loyal to the union and its citizens.” This requirement helps ensure that a president is knowledgeable about public affairs and has a vested interest in serving in Burma's executive office.

However, Burma's constitution also includes a deeply disconcerting limitation on Presidential eligibility. Section 59 stipulates that the Burmese President may not be a foreign national and may not have any immediate family members who are foreign nationals.

This limitation on the home nation of a candidate's immediate family has no bearing on an individual's fitness for office. This restriction prevents many, including Daw Suu herself, from even being considered for Burma's highest office. Daw Suu, for example, would not be permitted to run because her deceased husband was, and her two sons are, British nationals. To think that the nationalities of family members have relevance for fitness to hold office or allegiance to Burma is dubious at best.

Not only is Daw Suu discriminated against but so are the Burmese who fled or were exiled from the country during the junta's rule. Many of them

were out of Burma for years—not by choice, I would add—and during this time many became naturalized citizens in another country out of necessity. These men and women are also ineligible to be President.

Deciding who will be the next Burmese President is obviously up to the people of Burma through their elected representatives and not up to the international community. But, at a minimum, I believe that otherwise qualified candidates should be permitted to stand for office.

More important than the provision's unfairness for certain Presidential candidates is that this provision restricts the ability of the people of Burma, through their representatives, to have a choice in who can hold their highest office. This is profoundly undemocratic, and it is profoundly undemocratic at a time when Burma's commitment to democracy is actually open to question.

It is notable that one apparent roadblock to amending the Presidential eligibility requirement is the fact that the military holds *de facto* veto power over constitutional amendments. Under the constitution, the military controls a block of 25 percent of the parliamentary seats and in excess of a 75-percent vote is required for a constitutional amendment to go forward. The military controls 25 percent of the Parliament; they need over 75 percent of the Parliament to change the constitution. It becomes clear what this is about.

I understand the Burmese parliamentary committee is in the process of finalizing plans for the implementation of constitutional reform, but I am concerned that eligibility changes will apparently not—not—include amending the narrow restrictions of the constitution that limit who can run for President. To me, it will be a missed opportunity if this provision is not revisited before the 2015 parliamentary elections.

Modifying this provision is one way the Burmese Government can display to the world, in an immediate and clearly recognizable way, that it remains fully committed to reform. Permitting a broad array of candidates to run for President is an unmistakable symbol to the world—even to those who do not follow Burma closely—that Burmese reformers actually mean business; otherwise, such a restriction will quite simply cast a pall over the legitimacy of the election in the eyes of the international community and certainly to Members of the U.S. Senate.

While Congress did not renew the BFDA's import ban last year and there is little appetite to renew the measure this year, several U.S. sanctions toward Burma remain on the books. They include restrictions on the importation of jade and rubies into the United States and sanctions on individuals who continue to hinder reform efforts. It is hard to see how those provisions get lifted without there being progress

on the constitutional eligibility issue and the closely related issue of the legitimacy of the 2015 elections.

As the 2015 elections approach, I urge the country's leadership—its President, Parliament and military—to remain resolute in confronting the considerable obstacles to a more representative government that Burma faces. That is the only way the existing sanctions are going to get removed—the only way.

I wanted to highlight the eligibility issue as an example of an important step Burma could take to continue its reformist momentum. Such a step is of course necessary but not sufficient. As I noted, undergirding many of Burma's problems is the need to enhance civilian control over the military. This concern manifests itself in many ways, including the need to clarify that the commander in chief serves under the President and the importance of removing the military's *de facto* veto authority over constitutional amendments.

One tool the United States could use to help reform Burma's armed forces is through military-to-military contacts. I believe that exposure to the most professional military in the world—our own—will help Burma develop a force that is responsive to civilian control and to professional standards. Security assistance and professional military education are not simply rewards to partnering countries, as some view such programs. They are tools with which we advance our foreign policy objectives. Helping the Burmese military to reform is in our interest but it cannot be done through mere exhortation; it needs to be done through training and regular contact with the highest professional military standards. Only then, I believe, will the Burmese military see that being under civilian control is not—not—inimical to its interests.

This realization by the Burmese military, coupled with a successful 2015 election that is open to all otherwise qualified Presidential aspirants, will greatly enhance the cause for reform and peaceful reconciliation in Burma.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JEREMY HOLBROOK

Mr. McCONNELL. Madam President, I rise today to pay tribute to Jeremy Holbrook a Marine from my home State, the Commonwealth of Kentucky.

Jeremy hails from Magoffin County, and graduated from Magoffin County High School in 2004. The attacks of September 11, 2001, had a profound impact on Jeremy, and inspired him to enlist in the Marine Corps after graduating at the age of 18.

After completing basic training, combat training, and tank school, Jeremy was deployed to Ramadi as a part of Operation Iraqi Freedom. Despite being wounded on this first tour, for which he received the Purple Heart, he remained determined to serve his country. Jeremy returned to Iraq for a second tour, this time in Fallujah and, as in his previous tour, participated in counter-insurgency missions.

Both Jeremy's uncle and grandfather served in the U.S. Army, and for Jeremy it just made sense to continue that legacy of service. As he puts it—“pretty much whenever I saw our Nation needed people to defend our Nation, I felt I needed to take the call, and that's what I did.”

Jeremy's honorable service to this country is deserving of the praise of this body. Therefore, I ask that my Senate colleagues join me in honoring Jeremy Holbrook.

The Salyersville Independent recently published an article detailing Holbrook's two tours in Iraq. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Salyersville Independent, July 3, 2014]

HOLBROOK INSPIRED BY 9/11 TO JOIN MARINES
(By Heather Oney)

The attacks of 9/11 inspired Jeremy Holbrook to join the Marines, which took him on two tours of Iraq.

At 18 years old in 2004, Holbrook enlisted with the Marines, making his family sad, but proud, he said. Since his grandfather and uncle had both been in the Army, he said it just seemed like the right thing to do.

“Pretty much, whenever I saw our nation needed people to defend our nation, I felt I needed to take the call and that's what I did,” Holbrook said.

The Magoffin County High School grad went to boot camp at the Marine Corps Recruit Depot Parris Island in South Carolina in July 2004, graduating from there in October 2004. He had his combat training at Camp Lejeune, North Carolina, then tank school in Fort Knox, Kentucky, assigned to the M1A1 Abrams Tank Crew. He trained for Operation Iraqi Freedom at Twentynine Palms, California.

Holbrook did two combat tours in Iraq, the first time in Ramadi, Iraq, running counter-insurgency missions, and the second time to Fallujah, Iraq, where he continued counter-insurgency missions and route clearing.

Based in an old Iraqi Army barracks, Holbrook said the living conditions were dingy and rundown, with no running water or toilets. With temperatures climbing upward of 150 degrees during the day and 110 degrees at